



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1


Meeting Date: June 23, 2004

Item Number: 2.A.

Subject:

County Administrator's Comments

County Administrator's Comments:

County Administrator: _____ 

Board Action Requested:

Summary of Information:

Mr. John V. Mazza, Jr., Chairman, Capital Region Airport Commission will make a presentation on behalf of the Airport Commission.

Preparer: Lisa Elko

Title: Clerk to the Board

Attachments:

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Yes

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No

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**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: June 23, 2004

Item Number: 2.B.

Subject:

County Administrator's Comments

County Administrator's Comments:

County Administrator: _____

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Board Action Requested:

Summary of Information:

Diversity Internship Program:

- This year's program began May 10, 2004.
- The eight week program will be completed July 9, 2004.
- Eleven interns are participating this year.
- The program has been in existence for 16 years.
- Over 100 students have completed the program.
- Interns gain valuable work experience related to their academic majors.
- Interns work as a group to complete a diversity project to be presented during the graduation ceremony.

The eleven interns will be introduced to the Board.

Preparer: Karla J. Gerner

Title: Director, Human Resource Management

Attachments:

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Yes

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No

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**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: June 23, 2004

Item Number: 2.C.

Subject:

County Administrator's Comments

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely "LK", is written over the line for the County Administrator.

Board Action Requested:

Summary of Information:

Krista Ratliff, Director of Community Resources at Lucy Corr Village, will make a presentation regarding the Lucy Corr Foundation 5 K Run/Walk *Festival for all Ages*.

Preparer: Lisa Elko

Title: Clerk to the Board

Attachments:

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Yes

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No

000003



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: June 23, 2004

Item Number: 5.A.

Subject:

Resolution Recognizing Ms. Lorraine Waddill for Her Service on the John Tyler Community College Board

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely of the County Administrator, is written over the line.

Board Action Requested:

Mr. Ramsey requested that the following resolution be adopted.

Summary of Information:

Mr. Ramsey recommends that the Board of Supervisors adopt this resolution expressing appreciation to Ms. Lorraine Waddill for her service on the John Tyler Community College Board.

Preparer: Donald J. Kappel

Title: Director, Public Affairs

Attachments:



Yes



No

000004

RECOGNIZING MS. LORRAINE WADDILL FOR HER SERVICE
ON THE JOHN TYLER COMMUNITY COLLEGE BOARD

WHEREAS, John Tyler Community College is a respected and important component of Chesterfield County's higher education resources; and

WHEREAS, the John Tyler Community College Board provides guidance for the institution's progress and the life of the college; and

WHEREAS, Ms. Lorraine Waddill served as a member of the board for eight years; and

WHEREAS, Ms. Waddill was vice-chair from 2002-2004, during which time the college opened its new Midlothian campus; and

WHEREAS, from 2002 until the present, Ms. Waddill has served as chair of the board; and

WHEREAS, during her tenure on the board, Ms. Waddill has wholeheartedly worked for the betterment of John Tyler Community College; and

WHEREAS, Ms. Waddill has worked on behalf of the college in many venues and with many groups, including with the Virginia General Assembly; and

WHEREAS, Ms. Waddill helped to prepare the college for a number of major issues regarding legislative matters; and

WHEREAS, Ms. Waddill's term on the board will end on June 30, 2004; and

WHEREAS, it is fitting for this Board of Supervisors to appropriately recognize the outstanding contributions of Ms. Lorraine Waddill.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 23rd day of June 2004, hereby extends its appreciation to Ms. Lorraine Waddill for her dedicated service to the John Tyler Community College Board, thanks her for her many contributions to the college and to the community it calls home, and wishes her continued success in all her endeavors.



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: June 23, 2004

Item Number: 5.B.

Subject: Resolution Recognizing Lt. Colonel Dennis G. McDonald Upon His Retirement

County Administrator's Comments:

County Administrator: _____ 

Board Action Requested:

The adoption of the attached resolution.

Summary of Information:

Lt. Colonel Dennis G. McDonald will retire from the Police Department after having provided over 27 years of service to the citizens of Chesterfield County.

Preparer: _____ Colonel Carl R. Baker **Title:** _____ Chief of Police

Attachments:



Yes



No

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000006

RECOGNIZING LIEUTENANT COLONEL DENNIS G. McDONALD UPON HIS RETIREMENT

WHEREAS, Lieutenant Colonel Dennis G. McDonald will retire from the Chesterfield County Police Department on July 1, 2004, after providing 27 years of quality service to the citizens of Chesterfield County; and

WHEREAS, Lieutenant Colonel McDonald has faithfully served the county in the capacity of Patrol Officer, Investigator, Sergeant, Lieutenant, Captain, Major and Lieutenant Colonel; and

WHEREAS, Lieutenant Colonel McDonald was one of two officers who presented the Police Department with its current Field Training Program and implemented the Field Training Manual; and for seven years, he instructed and certified all Field Training Officers in the department; and

WHEREAS, Lieutenant Colonel McDonald founded the Hostage Negotiation Team and served as its first team leader from 1983 through 1987; and

WHEREAS, the Hostage Negotiation Team has successfully resolved many high risk situations involving armed barricaded individuals, attempted suicides and hostage incidents, limiting the risk of injury to the citizens of Chesterfield County and the members of the Chesterfield County Police Department; and

WHEREAS, during his command of the Uniform Operations Bureau, Lieutenant Colonel McDonald oversaw the operations of the bureau during the apprehension and successful prosecution of the assailant for the rape and murder of ten-year-old Charity Powers; and

WHEREAS, for the past eight years, Lieutenant Colonel McDonald has served as Deputy Chief of Operations, and in this role, has overseen criminal investigations and uniform operations within the Police Department; and

WHEREAS, Lieutenant Colonel McDonald has received numerous letters of thanks and appreciation for service rendered from the citizens of Chesterfield County; and

WHEREAS, Lieutenant Colonel McDonald has provided the Chesterfield County Police Department with many years of loyal and dedicated service; and

WHEREAS, Chesterfield County and the Board of Supervisors will miss Lieutenant Colonel McDonald's diligent service.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 23rd day of June 2004, publicly recognizes Lieutenant Colonel Dennis G. McDonald, and extends on behalf of its members and the citizens of Chesterfield County, appreciation for his service to the county, congratulations upon his retirement, and best wishes for a long and happy retirement.

AND, BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Lieutenant Colonel McDonald, and that this resolution be permanently recorded among the papers of this Board of Supervisors of Chesterfield County.

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**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: June 23, 2004

Item Number: 5.C.

Subject:

Resolution Recognizing Mr. William D. Poole Upon His Retirement July 2, 2004

County Administrator's Comments:

County Administrator:

A handwritten signature in dark ink, appearing to be "JAC", written over a horizontal line.

Board Action Requested:

Staff requests the Board present and adopt the attached resolution

Summary of Information:

Staff requests the Board present and adopt the attached resolution recognizing William D. Poole for 27 years of service to the citizens of Chesterfield County.

Preparer: Kirkland A. Turner

Title: Director of Planning

C:\DATA\AGENDA\2004\JUNE23\POOLERESOLUTION

Attachments:



Yes



No

#000008

RECOGNIZING MR. WILLIAM D. POOLE, ASSISTANT DIRECTOR OF PLANNING,
UPON HIS RETIREMENT

WHEREAS, Mr. William D. Poole is a pioneer in the development of an effective planning program for Chesterfield County; and

WHEREAS, Mr. Poole started working for the county in 1973 as a senior planner when the county had a population of 92,000 residents; and

WHEREAS, Mr. Poole, after five years of service in an adjacent jurisdiction, returned in 1983 as Chief of Development Review and eventually, Assistant Director for Development Review in the Planning Department; and

WHEREAS, Mr. Poole, in 1986 and 1987, led the preparation and adoption of the county's first landscaping and development standards for the Route 10 and Route 360 corridors; and

WHEREAS, Mr. Poole directed staff and the Jefferson Davis Corridor community representatives in the preparation of specific design standards to facilitate corridor development; and

WHEREAS, Mr. Poole, working with the leadership of Chester Village, prepared zoning standards to create a small town character for the Village of Chester; and

WHEREAS, Mr. Poole implemented numerous total quality improvements to development review processes, automation and customer service; and

WHEREAS, Mr. Poole led many improvements to the county's system of notifying citizens of development, subdivision, site plan and building permit review processes and also was responsible for numerous zoning ordinance updates and improvements; and

WHEREAS, Mr. Poole participated in the preparation and implementation of Chesterfield County's modern zoning ordinance guiding quality development; and

WHEREAS, Mr. Poole always applied an ethical and fair-minded approach to development issues; and

WHEREAS, Mr. Poole has given generously of his time to serve the community through work with Chesterfield Alternatives and Habitat for Humanity.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 23rd day of June 2004, publicly recognizes Mr. William D. Poole, and extends on behalf of its members and the citizens of Chesterfield County, appreciation for his service to the county, congratulations upon his retirement, and best wishes for a long and happy retirement.



**CHESTERFIELD COUNTY
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Meeting Date: June 23, 2004

Item Number: 5.D.

Subject:

Resolution Recognizing Deputy Joseph Barry Moneymaker for His Outstanding Service to the Chesterfield County Board of Supervisors

County Administrator's Comments:

County Administrator: _____ 

Board Action Requested:

Adoption of the attached resolution.

Summary of Information:

Staff requests the Board adopt the attached resolution recognizing Deputy Joseph Barry Moneymaker for his diligent service providing security for the Chesterfield Board of Supervisors' meetings for the past eight years.

Preparer: Clarence G. Williams, Jr.

Title: Sheriff

Attachments:



Yes



No

#000010

RECOGNIZING DEPUTY JOSEPH BARRY MONEYMAKER
FOR HIS OUTSTANDING SERVICE TO CHESTERFIELD COUNTY

WHEREAS, Deputy Joseph Barry Moneymaker was appointed by Sheriff Clarence G. Williams, Jr. in 1996 to provide security for the meetings of the Chesterfield County Board of Supervisors; and

WHEREAS, since that time Deputy Moneymaker has performed his duties effectively and efficiently, in that during his tenure no incident occurred that put the life of any Board member, or that of any citizen appearing before the Board in danger, nor did any incident occur that resulted in the suspension of its proceedings; and

WHEREAS, Deputy Moneymaker performed his duties in such a manner as to ensure a safe and secure environment for the Board and the citizens of Chesterfield County to conduct its business; and

WHEREAS, Deputy Moneymaker has performed his duties in such a way as to reflect favorably upon the Sheriff's Office, and in a way as to earn the trust of the citizens of Chesterfield County who are entitled to have a safe and controlled environment in which to present their business before the Board of Supervisors.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 23rd day of June 2004, publicly recognizes the contributions of Deputy Joseph Barry Moneymaker, expresses the appreciation of all citizens for his service to Chesterfield County, extends their appreciation for his service to the county, as well as their best wishes in his continued service with the Chesterfield Sheriff's Office.

AND, BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Deputy Moneymaker and that this resolution be permanently recorded among the papers of this Board of Supervisors of Chesterfield County, Virginia.



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: June 23, 2004

Item Number: 6.

Subject:

Work Session to Review 2004 General Assembly Legislation

County Administrator's Comments:

County Administrator: _____

JSR

Board Action Requested:

The Board of Supervisors is requested to chose which new laws from the 2004 General Assembly should be advertised for public hearings to amend the County Code.

Summary of Information:

Each year staff explains new changes in State law which (1) require ordinance changes; (2) permit ordinance change or other board action; or (3) affect county operations but do not require ordinance changes or other action. The attachment identifies significant changes in state law. The "score sheet" contains the staff recommendation on which new items should be scheduled for a public hearing or other action.

Preparer: Steven L. Micas

Title: County Attorney
0800:65660.1(65485.1)

Attachments:



Yes



No

#000012

**2004 VIRGINIA GENERAL ASSEMBLY
LEGISLATION AFFECTING THE COUNTY
June 23, 2004**

I. CHANGES REQUIRING BOARD ACTION

Public Hearing or
Other Board Action

 X _____
Yes No

Comments:

1. Amend the zoning ordinance to provide that 1) any person who owns or occupies property affected by a proposed zoning ordinance amendment which decreases allowed development density must receive written notice of public hearings and 2) that the commander of a military base will receive notice of a proposed comprehensive plan or zoning change affecting property within 3000 feet of the base. [HB 819, 714]

Staff Recommendation:

The General Assembly has mandated these two changes to the notice requirements for proposed zoning and comprehensive plan amendment public hearings. H.B. 714 was passed in order to comply with preparation for the BRAC (Base Realignment and Closure Commission) deliberations. Staff recommends that the Board refer these issues to the Planning Commission.

 X _____
Yes No

Comments:

2. Review county's sign ordinance to ensure that political campaign signs on private property are treated the same as temporary non-political signs. [SB 76]

Staff Recommendation:

This bill prohibits local sign ordinances from regulating political campaign signs on private property differently from temporary non-political signs. Staff recommends that the Board request the Planning Department to review the county's current sign ordinance and, if any changes are necessary, forward them to the Planning Commission for a public hearing and recommendation to the Board.

X
Yes No

Comments:

3. Amend the county's Emergency Operations Plan by July 1, 2005 to include the establishment of an effective alert and warning system to inform the public of an actual or threatened disaster and to develop rules for the operation of the county's emergency alert and warning plan. [HB 873]

Staff Recommendation:

This bill requires localities to establish alert/warning plan and to provide rules for emergency alert warning systems within their emergency operations plans prior to July 1, 2005. Staff will prepare the required rules and bring them back to the Board for approval in January of 2005.

 X
Yes No

Comments:

4. Amend county's inoperable motor vehicle ordinance to change the definition of when a inoperable vehicle is "shielded or screened from view" and does not have to be removed from private property. [SB 204]

Staff Recommendation:

This bill requires the county to change the definition of when an inoperable motor vehicle is "shielded or screened from view" and does not have to be removed from private property. The new definition is "not visible to someone standing at the property line" which is different from the current definition: "completely covered or enclosed." Staff will prepare an ordinance amendment for the Board's consideration at a public hearing.

X
Yes No

Comments:

5. Amend county's subdivision ordinance to require that cable TV and public service corporation easements be shown on all new subdivision plats. [HB 715]

Staff Recommendation:

The General Assembly has mandated that all local subdivision ordinances must require subdividers to include cable TV and public service corporation easements on subdivision plats. Staff recommends that the Board refer this matter to the Planning Commission.

II. OPTIONAL CHANGES PERMITTING BOARD ACTION

Yes No

Comments:

1. Amend the County Code to increase from \$100 to \$250 the flat fee the county may charge a person convicted of DUI, reckless driving and other listed traffic-related offenses to reimburse the county for responding to any accident or incident arising out of the violation. [HB 303]

Staff Recommendation:

This legislation allows the county to increase these fees. The Board is being asked today to set a public hearing to amend the county's DUI fee ordinance.

Yes No

Comments:

2. Amend the County Charter to allow, in assessment districts created after January 1, 2003, the suspension of payments for those owner/occupants who are 65 years or older. [HB 599]

Staff Recommendation:

This bill was part of the county's 2004 legislative program. County staff will incorporate these changes when bringing future sewer assessment districts to the Board for approval. Additionally, the Board is being requested today, on its consent agenda, to schedule a public hearing to amend the Englewood Sewer Assessment District to provide for the suspension since that District is eligible for the suspension.

Yes No

Comments:

3. Permits the Board to broaden the uses of the county's courthouse and courtroom security fee, allowing it to be expended not just for courthouse security personnel but also for security equipment. [HB 504]

Staff Recommendation:

Staff recommends that the Board set a public hearing to amend the county's courthouse and courtroom security fee ordinance to allow fees to be used for security equipment purchases.

Yes No

Comments:

4. Amend the County Code 1) to exempt from personal property taxation two (currently only one) motor vehicles per household used by members and auxillary members of volunteer fire departments and rescue squads for their volunteer service and 2) to exempt such vehicles from the county's vehicle decal license fee. [HB 143, 145/ SB 349, 350]

Staff Recommendation:

The General Assembly has increased the number of vehicles owned by volunteer fire department and rescue squad members and auxiliary members that localities can exempt from taxation and has also permitted localities by ordinance to exempt such vehicles from decal fees. Staff recommends that the Board direct staff to consider the fiscal impact of these changes and report to the Board during the FY2006 budget process.

Yes No

Comments:

5. Allows the Board to exempt churches who consume utilities on tax-exempt church property from the county's consumer utility taxes. [HB 743/SB71]

Staff Recommendation:

Staff recommends that this exemption be studied by staff and that staff make a recommendation to the Board as part of the FY2006 budget process.

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Yes No

Comments:

6. Permits the Board to raise the qualifying income, financial worth and acreage maximums for the county's real estate tax relief program for the elderly and disabled. [HB 94, 97]

Staff Recommendation:

This legislation allows the Board to increase various income, financial worth and acreage caps in the county's real estate tax relief for the elderly ordinance which will allow more taxpayers to qualify. Staff recommends that the Board direct staff to study possible revisions to the ordinance of the revisions and make a recommendation as part of the FY2006 budget process.

Yes No

Comments:

7. Allows the Board to exempt from personal property taxation, or set a different tax rate on, trailers primarily used by farmers to transport animals or farm products. [HB 1030]

Staff Recommendation:

This legislation allows the board to exempt farm trailers from personal property taxation or tax at a lower rate. Staff recommends that the Board direct staff to study possible revisions and report back to the Board as part of the FY2006 budget process.

Yes No

Comments:

8. Amend the county's zoning ordinance to provide that if an owner fails to remove a non-conforming business sign, when the business has ceased operation for two years, the county can, after notice, remove it at the owner's expense. [HB 679]

Staff Recommendation:

This legislation allows the county greater ability to recover the cost of removing obsolete, non-conforming business signs. Staff recommends that the Board refer this matter to the Planning Commission to recommend sign ordinance revisions to the Board.

Yes No

Comments:

9. Adopt an ordinance permitting the county to use funds other than state funds for grants to help county, school board and constitutional officer employees purchase residences in the county. No grant can exceed \$5,000. [HB 827]

Staff Recommendation:

Staff recommends that the Board direct staff to study this issue and report back during the FY2006 budget process.

Yes No

Comments:

10. Establish "rental inspection districts" if the Board finds that regular building code inspections are needed to protect the health, safety and welfare of tenants in the district. After initial inspections are performed, rental units may be inspected every two years. [HB 828]

Staff Recommendation:

Staff recommends that the Board refer this issue to the county's Director of Revitalization and the Building Official for review and recommendation to the Board.

Yes No

Comments:

11. Adopt an ordinance regulating and restricting the use of pneumatic guns (e.g. BB guns and air rifles) in the county. [HB 1303]

Staff Recommendation:

The Police Department believes that the county's current ordinances governing weapons effectively regulate the use of pneumatic guns. No further action is recommended.



**CHESTERFIELD COUNTY
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Meeting Date: June 23, 2004

Item Number: 8.A.1.

Subject:

Nomination/Appointment to the John Tyler Community College Local Board

County Administrator's Comments:

County Administrator: _____ 

Board Action Requested:

Nominate/appoint a member to serve on the John Tyler Community College Local Board

Summary of Information:

The John Tyler Community College Local Board acts in an advisory capacity to the State Board for community colleges and performs such duties with respect to the operations of the College as may be delegated to it by the State Board.

The term of Ms. Lorraine Waddill expires June 30, 2004. Ms. Waddill concludes her eight-year term. It has been recommended by Chesterfield County representatives, on the John Tyler Community College Board to appoint Mr. Larry Elliott, former Assistant Superintendent for Chesterfield County Schools. The Board members concur with this appointment. The term is effective July 1, 2004 and will expire on June 30, 2008.

Under the existing Rules of Procedures, appointments to boards and committees are nominated at one meeting and appointed at the subsequent meeting unless the Rules of Procedure are suspended by a unanimous vote of the Board members present. Nominees are voted on in the order in which they are nominated.

Preparer: Lisa H. Elko

Title: Clerk to the Board

Attachments:

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Yes

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No

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**CHESTERFIELD COUNTY
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Meeting Date: June 23, 2004

Item Number: 8.A.2.

Subject:

Nomination and Reappointment of Members of the Industrial Development Authority for the County of Chesterfield

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely of the County Administrator, is written over the line.

Board Action Requested:

Request that the Board suspend the rules and simultaneously nominate and reappoint Mr. John W. Hughes, representing the Clover Hill District and Mr. Willie Lanier, representing the Midlothian District to the Industrial Development Authority for the County of Chesterfield. The reappointments would become effective July 1, 2004. The four-year term for each would expire on June 30, 2008.

Summary of Information:

Mr. John W. Hughes serves as a member of the Industrial Development Authority from the Clover Hill District with his term expiring June 30, 2004. Mr. Hughes has indicated that he would like to continue to serve. Mr. Warren concurs with the reappointment of Mr. Hughes.

Mr. Willie Lanier serves as a member of the Industrial Development Authority from the Midlothian District with his term expiring June 30, 2004. Mr. Lanier has indicated that he would like to continue to serve. Mr. Barber concurs with the reappointment of Mr. Lanier.

Under the existing rules of procedure, appointments to boards and committees are nominated at one meeting and appointed at the subsequent meeting unless the rules of procedure are suspended by a unanimous vote of the Board members present. Nominees are voted on in the order in which they are nominated.

Preparer: James G. Dunn Title: Director, Economic Development

Attachments:

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Yes

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No

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**CHESTERFIELD COUNTY
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Meeting Date: June 23, 2004

Item Number: 8.A.3.

Subject:

Nomination/Reappointment to the Senior Connections Board

County Administrator's Comments:

County Administrator:

Board Action Requested:

Nominate/Reappoint a member to serve on the Senior Connections Board.

Summary of Information:

The Senior Connections Board of Directors serves citizens sixty years or older in the City of Richmond and Counties of Charles City, Chesterfield, Goochland, Hanover, Henrico, New Kent, and Powhatan will direct services which include, but are not limited to, nutrition programs, senior centers, homemaker service, transportation, home repair, smoke alarms, etc.

Mr. Bradford Hammer has served, since September 1997, as Chesterfield's representative to the Senior Connections Board of Directors. His term ends June 30, 2004. The Senior Connections Board of Directors requests the reappointment of Mr. Bradford Hammer, whose term will be effective July 1, 2004 and will expire June 30, 2007. The Board of Supervisors concur with Mr. Hammer's reappointment.

Under the existing Rules of Procedures, appointments to boards and committees are nominated at one meeting and appointed at the subsequent meeting unless the rules of procedures are suspended by unanimous vote of the board members present. Nominees are voted on in the order that they are nominated.

Preparer: Lisa H. Elko

Title: Clerk to the Board

Attachments:

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Yes

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No

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**CHESTERFIELD COUNTY
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Meeting Date: June 23, 2004

Item Number: 8.A.4.

Subject: Nomination/Reappointment to the Richmond Metropolitan Convention and Visitors Bureau (RMCVB)

County Administrator's Comments:

County Administrator: _____

Board Action Requested:

Nomination/Reappointment of a member to serve on the RMCVB.

Summary of Information:

The purpose of the RMCVB is to serve as the lead regional agency and advocacy group for tourism and convention business in the Richmond area. RMCVB recently restructured the Board to create a business-like tourism focus in order to attract corporate and business financial support for RMCVB programs.

The RMCVB has requested a tourism representative be reappointed to a two-year term to represent Chesterfield County. It is recommended that the Executive Director of Henricus, Mr. Walter Heyer, be reappointed for a two-year term. His term will be effective July 1, 2004 with an expiration date of June 30, 2006. The Board of Supervisors are in concurrence with Mr. Heyer's reappointment.

Under the existing Rules of Procedure, appointments to boards and committees are nominated at one meeting and appointed at the subsequent meeting unless the Rules of Procedure are suspended by a unanimous vote of the Board members present. Nominees are voted on in the order in which they are nominated.

Preparer: Bradford S. Hammer

Title: Deputy County Administrator

Attachments:

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Yes

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No

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**CHESTERFIELD COUNTY
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Meeting Date: June 23, 2004

Item Number: 8.A.5.

Subject:

Nominations for Reappointment to the Board of Building Code Appeals

County Administrator's Comments:

County Administrator: _____

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Board Action Requested:

Reappointment of seven members to the Board of Building Code Appeals

Summary of Information:

The terms of five members of the Board of Building Code Appeals will expire on June 30, 2004. The members are Robert W. Andrus, William G. Fields, Timothy D. Grider, Lonnie Miller, and James D. Snowa, AIA. Two more members' terms will expire on July 31, 2004. These members are Steven Applegate, P.E. and Robert Foster. The above mentioned gentlemen have expressed a willingness to be reappointed. All seven members terms will begin July 1, 2004 and will expire June 30, 2007. The reappointment of each of these members has been discussed with their respective County Board members who have indicated support for their reappointment. Their reappointment would maintain the composition of membership previously established by the Board of Supervisors for this Board.

Under existing Rules of Procedure, appointments to boards and committees are nominated at one meeting and appoint at the subsequent meeting unless the rules of procedure are suspended by unanimous vote of Board members present. Nominees are voted on in the order in which they are nominated.

Preparer: William D. Dupler

Title: Building Official

Attachments:

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Yes

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No

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**CHESTERFIELD COUNTY
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Meeting Date: June 23, 2004

Item Number: 8.A.6.

Subject: Nomination and Appointment to the Social Services Board

County Administrator's Comments:

County Administrator: _____

JSK

Board Action Requested:

Appoint Mary "Liz" Welchons to the Chesterfield/Colonial Heights Social Services Board.

Summary of Information:

The purpose of the Social Services Board is to administer and provide oversight for the services rendered by the department. The mission of the department, in collaboration with individuals, families and the community, is to provide advocacy and excellent services that encourage self-sufficiency, preserve and restore families; and protect the well-being of children, senior citizens and people with disabilities.

Request the appointment of Mary "Liz" Welchons to the Social Services Board for a four-year term effective July 1, 2004, through June 30, 2008. The Board members concur with this appointment.

Under the existing Rules of Procedure, appointments to boards and committees are nominated at one meeting and appointed at the subsequent meeting unless the Rules of Procedure are suspended by a unanimous vote of the Board members present.

Preparer: Sarah C. Snead

Title: Director of Social Services

Attachments:

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Yes

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No

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**CHESTERFIELD COUNTY
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Meeting Date: June 23, 2004

Item Number: 8.A.7.

Subject:

Nominations/Appointments to the Community Criminal Justice Board (CCJB)

County Administrator's Comments:

County Administrator: _____ *JBK*

Board Action Requested:

It is requested that the Chesterfield County Board of Supervisors approve the nominees for appointment to the Community Criminal Justice Board (CCJB) for two-year terms according to the adopted by-laws of the Community Criminal Justice Board. Appointments correspond to prescribed positions in the Code of Virginia.

Summary of Information:

The Community Criminal Justice Board (CCJB) serves the 12th Judicial Circuit consisting of Chesterfield County and the City of Colonial Heights. The purpose is to provide for the development, evaluation and planning of community programs and services for the court in diverting offenders from local correctional facilities.

At the June 14, 1995 meeting, the Board adopted a Resolution entitled Joint Resolution Providing for the Implementation of the Comprehensive Community Corrections Act (CCCA) and the Pretrial Services Act (PSA); Establishment of the Chesterfield County and City of Colonial Heights Community Criminal Justice Board; and provisions for Joint Exercise of Powers.

The resolution designated the Membership by position, according to the Code of Virginia. The Community Criminal Justice Board members serve for two-year staggered terms; thus ten members are appointed each year.

Preparer: Bradford S. Hammer

Title: Deputy County Administrator

Attachments:



Yes



No

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**CHESTERFIELD COUNTY
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Meeting Date: June 23, 2004

It is requested the following individuals be appointed to the Community Criminal Justice Board for a two-year term to commence July 1, 2004 and ending June 30, 2006.

| | |
|--|-----------------------------------|
| The Honorable Frederick G. Rockwell, III | (Circuit Court) |
| The Honorable Thomas L. Murphey | (General District Court) |
| William W. Davenport | (Commonwealth's Attorney) |
| Raeferd Walker | (Colonial Heights Citizen) |
| James Brown | (Educator) |
| Laura Kuchinsky | (District 19 Mental Health) |
| Eileen Brown | (Colonial Heights Representative) |
| Richard Schurman | (Police Chief Colonial Heights) |
| Wave B. Tench | (Sheriff Colonial Heights) |
| Colonel Carl Baker | (Chesterfield Citizen) |
| Vacant - pending nomination | (Chesterfield Citizen) |

Under the existing Rules of Procedure, appointments to Boards and Committees are nominated at one meeting and appointed at the subsequent meeting unless the Rules of Procedures are suspended by a unanimous vote of the Board members present. Nominees are voted on in the order in which they are nominated.

000026

TO: Honorable Members, Board of Supervisors
Lane B. Ramsey, County Administrator

FROM: Bradford S. Hammer, Deputy County Administrator for Human Services

DATE: June 11, 2004

SUBJECT: Appointments – Community Criminal Justice Board

The Community Criminal Justice Board (CCJB) serves the 12th Judicial Circuit consisting of Chesterfield County and the City of Colonial Heights. The purpose is to provide for the development, evaluation and planning of community programs and services for the court in diverting offenders from local correctional facilities.

In September 1994, the General Assembly adopted legislation that created the Comprehensive Community Corrections Act and the Pretrial Services Act. These Acts required the creation of a Community Criminal Justice Board (CCJB). At the June 14, 1995 meeting, the Board of Supervisors adopted a Joint Resolution with the City of Colonial Heights creating the Community Criminal Justice Board. On June 13, 1995 the City of Colonial Heights adopted a similar resolution. Sixteen (16) of the twenty (20) Board appointments are in categories prescribed in the Code of Virginia. Four (4) appointments are discretionary with two (2) coming from Colonial Heights and two (2) coming from Chesterfield County. The two (2) discretionary appointments available at this time are from the City of Colonial Heights.

To improve continuity, terms were staggered with one half of the members appointed in one year and one half of the members appointed in the following year.

The attached lists will show the proposed nominees in bold with addresses and phone numbers. On June 8, 2004 the City of Colonial Heights reviewed a similar list of nominees. All nominees except Laura Kuchinsky are currently serving on the Community Criminal Justice Board. Raeford Walker will be moved from the Colonial Heights Mental Health appointment to fill the balance of Jane Olgetree's (citizen) term, which will end June 30, 2005. The Executive Committee of the CCJB has recommended all nominees for reappointment. All have agreed to serve if reappointed. Both Chesterfield and the City of Colonial Heights must confirm all nominees.

000027

We respectfully request the Board to consider appointing these nominees for two-year terms as outlined in the attachment.

grp

Attachments

Required appointments to CCJB and those currently serving in designated positions:

| MINIMUM REQUIREMENTS BY CODE AND BY LAWS | CHESTERFIELD | TERM | COLONIAL HEIGHTS | TERM |
|---|---|--|--------------------------------------|---|
| County and City Representative | Bradford S. Hammer | 7/1/03 to 6/30/05 | Eileen Brown | 7/1/04 to 6/30/06 |
| 1 Circuit Court Judge | Frederick G. Rockwell, III | 7/1/04 to 6/30/06 | | |
| 2 General District Court Judges | Philip V. Daffron Thomas L. Murphey | 7/1/03 to 6/30/05 7/1/04 to 6/30/06 | | |
| 1 Juvenile & Domestic Relations Court Judge | Jerry Hendrick, Jr. | 7/1/03 to 6/30/05 | | |
| 1 Chief Magistrate | William Bradham | 7/1/03 to 6/30/05 | | |
| 1 Police Chief | | | Richard Schurman | 7/1/04 to 6/30/06 |
| 1 Commonwealth Attorney | William W. Davenport | 7/1/04 to 6/30/06 | Michael W. Lee | 7/1/03 to 6/30/05 |
| 1 Defense Attorney | Gregory D. Carr | 7/1/03 to 6/30/05 | | |
| 1 Sheriff | Clarence G. Williams, Jr. | 7/1/03 to 6/30/05 | Wave B. Tench, III | 7/1/04 to 6/30/07 |
| 1 Educator | James Brown | 7/1/04 to 6/30/06 | | |
| 1 Community Services Board Representative | Dr. John Morgan | 7/1/03 to 6/30/05 | Laura Kuchinsky | 7/1/04 to 6/30/06 |
| | | | | |
| Discretionary Appointments: | | | | |
| | | | | |
| 2 Citizens from each locality | Vacant Colonel Carl Baker | 7/1/04 to 6/30/06 7/1/04 to 6/30/06 | Rayford Walker Elvira Shaw | 7/1/03 to 6/30/05 7/1/03 to 6/30/05 |



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: June 23, 2004

Item Number: 8.A.8.

Subject:

Nomination/Appointment/Reappointment to the Citizens Transportation Advisory Committee

County Administrator's Comments:

County Administrator: _____ 

Board Action Requested:

Nominate/Appoint/reappoint members to serve on the Citizens Transportation Advisory Committee (CTAC).

Summary of Information:

The purpose of the CTAC is to provide citizen participation on the MPO. According to the by-laws, two members are appointed to the CTAC Committee by the County of Chesterfield. In addition, to the two regular members, Chesterfield is permitted to appoint an alternate. Each citizen appointed shall serve a two-year term and may be reappointed for successive terms. The terms of the CTAC appointments expire on June 30, 2004.

Board members have recommended that Mr. Herbert Richwine be reappointed; Ms. Alison L. Bartel who was an alternate become a member; and Mr. Brent Schneider be appointed as the alternate for a term from July 1, 2004 to June 30, 2006. The candidates meet all eligibility requirements and have indicated his/her willingness to continue serving on the committee.

Under the existing Rules of Procedure, appointments to boards and committees are nominated at one meeting and appointed at the subsequent meeting unless the Rules of Procedures are suspended by a unanimous vote of the Board members present. Nominees are voted on in the order in which they are nominated.

Preparer: _____ **R.J. McCracken** **Title:** _____ **Director of Transportation**

Attachments:

☐

Yes

☒

No

#

000030



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

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Meeting Date: June 23, 2004

Item Number: 8.B.1.

Subject:

FY2004 School Board Operating Fund Year-End Revisions

County Administrator's Comments:

Recommend Approval

County Administrator: *LBH*

Board Action Requested:

The School Board requests the Board of Supervisors to a) reserve the necessary funds (approximately \$1,195,000) for re-appropriation in FY2005 in various accounts; b) increase appropriations in the School Operating Fund by \$414,000 by decreasing Instruction \$2,800,000, decreasing Administration/Attendance and Health \$586,000, decreasing debt service \$200,000, increasing Pupil Transportation \$1,900,000 and increasing Operations and Maintenance \$2,100,000; and, c) increase Instruction appropriation in the Grants fund by \$85,000.

Summary of Information:

The analysis of the FY2004 year-end position is divided into three areas: 1) funding to be reserved for use in FY2005; 2) revenue changes occurring during the fiscal year; and 3) some expenditures requiring appropriation changes.

Preparer: Billy K. Cannaday, Jr., Ed.D.

Title: Superintendent

Attachments:



Yes



No

#000031

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Reserve Funding

Each year, the School Board requests that a portion of current year funds be reserved for re-appropriation in the following year for specific purposes. For year-end FY2004, the funding recommended to be reserved is described below by specific item. The amount for each item is an estimate as of April 30, 2004 and is subject to change.

1) Bond Interest on 4/04 Refunding and other

1,035,300

CCPS received notification from the State of the 2003B refunded VPSA bonds. CCPS received \$268,875 of interest earnings due to this refunding. The use of these funds for construction allowed a portion of the FY2004 State construction funds (\$268,875) to be reserved for FY05 debt service. The County refunded 1993 General Obligation (GO) bonds in April 2004. The School Board's share of the accrued interest at closing was \$202,811 and these funds need to be used to help offset the first interest payment in FY05 on this refunding. Due to the escrow restructuring of the 2004 general obligation refunding bonds, CCPS received an investment gain of \$606,643. A portion of this was used for bond sale expense but the balance needs to be reserved for debt service in FY05 (\$403,200) and FY06 (\$160,414).

2) Miscellaneous

159,700

Included in this amount is wellness funding (\$75,000), SOL spring mailing (\$26,700), the summer leadership academy (\$46,200) and the remaining funds for renovations to the former Matoaca High School (\$11,800).

Total Reserve Requested

\$1,195,000

School Operating Fund Revenue

State Revenue

138,300

Each year at this time the Department of Education provides information related to routine changes in SOQ accounts. The increases are sufficient to offset the most significant reduction, which is in sales tax, reflecting a loss of \$382,100.

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**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Federal Revenue

166,500

This increase is almost entirely due to an increase in the estimate for E-rate funding.

Local Revenues

109,200

This amount is for increases in estimated printing charges, driver education fees, field trip revenues, food service use of buildings, and reimbursed services as well as anticipated shortfalls in building rent, tuition, and sales of warehouse supplies.

Total Operating Fund Revenue Change

\$414,000

School Operating Fund Expenditures

Pupil Transportation

1,900,000

Overtime and substitute costs are projected to be above budget due to increasing numbers of before and after school programs. In addition, central garage costs are projected to be greater than budgeted due to the increasing cost of fuel.

Operations and Maintenance

2,100,000

Utility costs, due to less than favorable weather conditions this year, continue to be higher than budgeted. Additional funding is also required for trades and custodial overtime as we provide for increased building rentals and other projects required to maintain our schools at expected levels.

Instruction

(\$2,800,000)

Projected balances in various instructional accounts will be transferred to the accounts identified above to balance this year-end review.

Administration/Attendance and Health

(\$586,000)

Projected balances in various accounts will be transferred to the accounts identified above to balance this year-end review.

Debt Service

(\$200,000)

Projected balances in debt service accounts will be transferred to the accounts identified above to balance this year-end review.

Total Operating Fund Expenditure Change

\$414,000

000033

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Grants Fund

Since the School Board approved FY2004 grant revisions on October 28, 2003, an additional grant award has been received. On February 17, 2004 CCPS received notification from the State Department of Education of additional state funding in the amount of \$85,000 for the Project Graduation program. These funds need to be appropriated to the Instruction appropriation category in order to spend them for this statewide project.

000034



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: June 23, 2004

Budget and Management Comments:

This item requests that the Board approve the School's year-end adjustments totaling \$499,000. This agenda item summarizes the FY2004 year-end review for school operating funds as approved by the School Board on May 25, 2004. The expenditure appropriation changes can be described as follows: decrease Instruction by \$2,800,000, decrease Administration/Attendance and Health by \$586,000, increase pupil transportation by \$1,900,000, increase operations and maintenance by \$2,100,000, decrease debt service by \$200,000 and increase the grants fund for instruction by \$85,000. This increase of \$499,000 is being covered by a net increase in the appropriation of state revenues of \$138,300, federal revenues of \$166,500, local funding of \$109,200, and state grant funding of \$85,000.

This item also requests approval to establish reserves based on results of operations in the amount of \$1,195,000 (described in the summary of information) to be carried over and appropriated into FY2005.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000035

VIRGINIA: At a regular meeting of the Chesterfield County School Board held Tuesday evening, May 25, 2004, at seven-thirty o'clock in the Public Meeting Room of the Chesterfield County Courthouse Complex

PRESENT: James R. Schroeder, DDS, Chairman
Marshall W. Trammell, Jr., Vice-Chairman
Elizabeth B. Davis
Thomas J. Doland
Dianne E. Pettitt

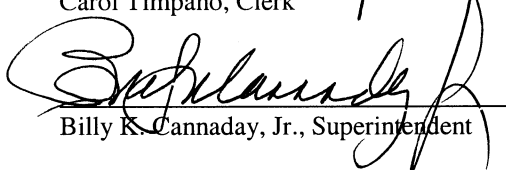
RESOLUTION

WHEREAS, the ending balance for FY2004 is currently projected at \$218,000, net of reserve needs, but not sufficient as currently projected to meet the \$1.0 million requirement for the FY2005 budget; and, **WHEREAS**, the School Board plans to request re-appropriation of any remaining FY2004 unused general fund transfer in the first quarter of FY2005; and, **WHEREAS**, there is a need to reserve approximately \$1,195,000 in the School Operating Fund at June 30, 2004; and, **WHEREAS**, additional revenues of \$414,000 have been identified as part of this year-end review (increased local revenue of \$109,200, increased Federal revenue of \$166,500, increased State revenue of \$520,400, offset to a degree by a loss in state sales tax of \$382,100; and, **WHEREAS**, additional state funds have been awarded for the Project Graduation program in the amount of \$85,000; and, **WHEREAS**, there is a need to revise appropriations as follows:

| | |
|------------------------------------|----------------|
| <u>Operating Fund:</u> | |
| Instruction | \$ (2,800,000) |
| Administration/Attendance & Health | (586,000) |
| Pupil Transportation | 1,900,000 |
| Operations & Maintenance | 2,100,000 |
| Debt Service | (200,000) |
| Total Operating | \$ 414,000 |
| <u>Grants Fund:</u> | |
| Instruction | <u>85,000</u> |
| Total All Funds | \$ 499,000 |

NOW, THEREFORE, BE IT RESOLVED, that on motion of Mr. Trammell, seconded by Mrs. Davis, the School Board hereby requests the Board of Supervisors to increase appropriations by \$499,000, and reserve approximately \$1,195,000 of funds in the School Operating Fund for items contained in the School Board's year-end quarterly review, adjusted according to need based on final June 30, 2004 documentation, as well as approve the appropriation changes as shown above.


Carol Timpano, Clerk


Billy R. Cannaday, Jr., Superintendent

000036



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: June 23, 2004

Item Number: 8.B.2.a.

Subject:

Resolution Recognizing Mr. William R. Rice Upon His Retirement July 1, 2004

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely of the County Administrator, is written over the line.

Board Action Requested:

Staff requests the Board adopt the attached resolution.

Summary of Information:

Staff requests the Board adopt the attached resolution recognizing William R. Rice for 21 years of service to Chesterfield County Information Systems Technology Department.

Preparer: F. O. Parks, Jr.

Title: Director, IST

Attachments:



Yes



No

000037

RECOGNIZING MR. WILLIAM R. RICE UPON HIS RETIREMENT

WHEREAS, Mr. William R. Rice will retire from the Chesterfield County Information Systems Technology (IST) Department on July 1, 2004; and

WHEREAS, Mr. Rice began his public service to the citizens of Chesterfield County on January 24, 1983 with the Data Processing Department and has faithfully served the county for 21 years, holding positions including computer room supervisor and operations technical analyst; and

WHEREAS, Mr. Rice was instrumental in the implementation of several mainframe computer systems, which enhanced computer services, and provided endless support and assistance to IST staff and customers; and

WHEREAS, Mr. Rice was a key participant in various other projects including the Personal Property System, Utility Billing System (CUBIS), HR/Payroll System (Integral), Police RMS Systems, ZEKE Scheduling System, Online Report Viewing, and the 911 CADS; and

WHEREAS, Mr. Rice has received numerous recognitions including a First Choice Award for his efforts with the Computer Room Redesign Project, numerous Celebrating Success awards which include the conversion of the OS/390 Operating System to be Y2K compliant, the Car Tax Relief Project and many others; and

WHEREAS, Mr. Rice was selected as IST's Exceptional Employee of the Year for 1988; and

WHEREAS, Mr. Rice served as a member of the Health and Safety Goal Team, Technology Standards Team and Quality Assurance Committee; and

WHEREAS, Mr. Rice has received many letters of commendation and appreciation for his performance and dedication to his duties; his energy and commitment have been above and beyond; and he has proved to be an exceptional representative of our organization; and

WHEREAS, Mr. Rice has provided the Chesterfield County Information Systems Technology Department with many years of loyal and dedicated service, and there is no doubt that his past achievements will be spoken of for some time to come and that the admiration for Mr. Rice's accomplishments is felt by all of us within the IST department; and

WHEREAS, Mr. Rice has continuously provided excellent customer service and dedication to the IST department and the citizens of Chesterfield County.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors recognizes the contributions of Mr. William R. Rice, expresses the appreciation of all residents for his service to the county, and extends appreciation for his dedicated service and congratulations upon his retirement.



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: June 23, 2004

Item Number: 8.B.2.b.

Subject:

Recognition of Ms. Mary Parker, Fire and Life Safety Educator, Upon Her Retirement, After Providing the County with 22 Years of Dedicated Service

County Administrator's Comments:

County Administrator: _____

A handwritten signature in black ink, appearing to be "SEP", written over a horizontal line.

Board Action Requested:

Adoption of attached resolution.

Summary of Information:

Staff is requesting that the Board of Supervisors recognize Ms. Mary Parker for 22 years of service to the citizens of Chesterfield County.

Preparer: _____ Frank H. Edwards, Jr. _____

Title: _____ 2nd Deputy Fire Chief _____

Attachments:



Yes



No

#000039

RECOGNIZING MS. MARY PARKER UPON HER RETIREMENT

WHEREAS, Fire and Life Safety Educator Mary Parker retired from the Chesterfield Fire and Emergency Medical Services Department on June 1, 2004; and

WHEREAS, Ms. Parker has faithfully served the county for over twenty-two years in various assignments; including the License Inspector's Office, the County Administrator's Office and Chesterfield Fire and Emergency Medical Services Fire and Life Safety Division; and

WHEREAS, Ms. Parker dedicated herself to become a registered Emergency Medical Technician, a TQI University Graduate, a Certified Peer Mediator, a Fire Educator Conference Workshop Instructor, a Contract Instructor for the National Fire Academy and a State Adjunct Instructor; and

WHEREAS, Ms. Parker attained numerous certifications from the Virginia Department of Emergency Management, National Emergency Training Center, National Fire Academy and Emergency Management Institute during her career including, Disaster and Recovery Management, Fire and Life Safety Course Development and Design, Instructional Delivery and Juvenile Fire Setter Intervention; and

WHEREAS, Ms. Parker has worked as a committee member on TRIAD, Children at Risk Today, Chairperson of Safe and Sober Youth, State Public Educators and Human Relations Committee; and

WHEREAS, Ms. Parker worked as a dependable employee for over twenty-two years assisting residents during tornados, ice storms, hurricanes and other disasters.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors recognizes the contributions of Fire and Life Safety Educator Mary Parker, expresses the appreciation of all residents for her service to the county, and extends appreciation for her dedicated service and congratulations upon her retirement.



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: June 23, 2004

Item Number: 8.B.2.c.

Subject:

Resolution Recognizing Mrs. Judith A. Childress Upon Her Retirement on July 2, 2004

County Administrator's Comments:

County Administrator: _____ 

Board Action Requested:

Staff requests the Board adopt the attached resolution.

Summary of Information:

Staff requests the Board adopt the attached resolution recognizing Mrs. Judith A. Childress for 19 years of service to Chesterfield/Colonial Heights Department of Social Services.

Preparer: Sarah C. Snead

Title: Director of Social Services

Attachments:



Yes



No

000041

RECOGNIZING MRS. JUDITH A. CHILDRESS UPON HER RETIREMENT

WHEREAS, Mrs. Judith A. Childress will retire from the Department of Social Services on July 1, 2004; and

WHEREAS, Mrs. Childress began her first tenure of public service with the county as a Clerical Supervisor in the Department of Social Services June 28, 1982 through June 1, 1983 and began her second tenure with the county on November 15, 1985; and

WHEREAS, Mrs. Childress coordinated the timely and accurate payment for services to our customers as Supervisor of the Financial Statistical Unit, and as Supervisor of the Customer Service Unit she ensured that citizens were treated with dignity and respect and that inquiries were appropriately handled; and

WHEREAS, Mrs. Childress successfully completed the requirements for graduation from the county's Supervisory Leadership Institute; and

WHEREAS, Mrs. Childress represented the Department of Social Services for the Local Government and Schools United Way Campaign by serving as United Way Coordinator; and

WHEREAS, Mrs. Childress played an integral role in the initial Strategic Planning efforts of the department, serving a two-year term as Goal Champion for the agency goal "Providing Exceptional Communication Between Internal and External Customers," and was instrumental in the development of the customer service feedback cards; and

WHEREAS, Mrs. Childress completed the required courses and graduated from the Total Quality Improvement University; and

WHEREAS, Mrs. Childress served as a member of the Statewide Social Services Organization, Partnership of Office Services Support Employees in Social Services (POSSESS), and participated on the Planning Committee for the Spring 2003 Conference; and

WHEREAS, throughout her career at the Department of Social Services Mrs. Childress has served the most vulnerable citizens of Chesterfield County and the City of Colonial Heights; and

WHEREAS, Mrs. Childress has been a dedicated and loyal advocate for her staff and for the citizens of Chesterfield County and the City of Colonial Heights.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors recognizes the outstanding contributions of Mrs. Judith A. Childress, expresses the appreciation of all residents for her service to the county and its congratulations upon her retirement, as well as best wishes for a long and happy retirement.

000042



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: June 23, 2004

Item Number: 8.B.2.d.

Subject:

Recognizing Brian James McDaniel, Troop 837, Sponsored by Chester Baptist Church, Upon Attaining Rank of Eagle Scout

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely of the County Administrator, is written over the line.

Board Action Requested:

Adoption of attached resolution.

Summary of Information:

Staff has received a request for the Board to adopt a resolution recognizing Brian James McDaniel, Troop 837, upon attaining the rank of Eagle Scout. Mr. McDaniel is unable to attend the meeting.

Preparer: Lisa H. Elko

Title: Clerk to the Board

Attachments:



Yes



No

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000043

RECOGNIZING MR. BRIAN JAMES McDANIEL UPON ATTAINING
THE RANK OF EAGLE SCOUT

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to his community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law; and

WHEREAS, Mr. Brian James McDaniel, Troop 837, sponsored by Chester Baptist Church, has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout, which is earned by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through his experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare himself for a role as a leader in society, Brian has distinguished himself as a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors recognizes Mr. Brian James McDaniel, extends congratulations on his attainment of Eagle Scout, and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

000044



**CHESTERFIELD COUNTY
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Meeting Date: June 23, 2004

Item Number: 8.B.2.e.

Subject:

Resolution Recognizing Mr. Ken Van Auken for His Community Spirit

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely of the County Administrator, is written over the line.

Board Action Requested:

Mr. Warren requested that the following resolution be adopted.

Summary of Information:

Mr. Warren requests that the Board of Supervisors adopt this resolution recognizing the contributions of Bexley resident Mr. Ken Van Auken to the community.

Preparer: _____ Donald J. Kappel

Title: _____ Director, Public Affairs

Attachments:



Yes



No

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000045

RECOGNIZING MR. KEN VAN AUKEN, COLONEL, U. S. ARMY (RETIRED)
FOR HIS COMMUNITY SPIRIT

WHEREAS, Chesterfield County enjoys the lowest crime rate in the Metropolitan Richmond area; and

WHEREAS, the Chesterfield County Chief of Police frequently credits the strong partnership between the Police Department and our county's residents for helping to keep Chesterfield County safe; and

WHEREAS, residents who take an active role in the security of their neighborhoods deserve the gratitude of their neighbors and of this Board of Supervisors; and

WHEREAS, Mr. Ken Van Auken is a resident of the Bexley community; and

WHEREAS, Mr. Van Auken graduated from the U. S. Military Academy at West Point, and served his country honorably; and

WHEREAS, Mr. Van Auken retired from the U. S. Army as a Colonel; and

WHEREAS, Mr. Van Auken has been a member of the Bexley Neighborhood Watch program for the past seven years; and

WHEREAS, Mr. Van Auken was one of the first graduates of Chesterfield County's Citizens Police Academy; and

WHEREAS, Mr. Van Auken was also a member of Bexley's Welcome Committee; and

WHEREAS, Mr. Van Auken distinguished himself by his selfless service both to his nation and to his community; and

WHEREAS, it is fitting for this Board of Supervisors to appropriately recognize the outstanding contributions of Mr. Ken Van Auken.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors extends its appreciation to Mr. Ken Van Auken for his civic-minded spirit, thanks him for his many years of work on behalf of the community, Chesterfield County and his country, and wishes him and his wife, Virginia, much happiness and fulfillment as they leave the Bexley community.

000046



**CHESTERFIELD COUNTY
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Meeting Date: June 23, 2004

Item Number: 8.B.2.f.

Subject: Resolution Recognizing Mr. Raymond L. Misegades, Utilities Department, Upon His Retirement

County Administrator's Comments:

County Administrator: _____

JBR/ae

Board Action Requested:

Adoption of attached Resolution.

Summary of Information:

Staff requests the Board adopt the attached resolution recognizing Mr. Raymond L. Misegades for 22 years of service to the Chesterfield County Utilities Department.

Preparer: Craig S. Bryant

Title: Director of Utilities

Attachments:



Yes



No

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000047

RECOGNIZING MR. RAYMOND L. MISEGADES UPON HIS RETIREMENT

WHEREAS, Mr. Raymond L. Misegades began his public service with Chesterfield County as a water plant operator trainee in the Utilities Department on August 29, 1981, and has faithfully served the county for twenty-two years; and

WHEREAS, after transferring to the water quality laboratory in 1984, Mr. Misegades became instrumental in responding to dramatic increases in work assignments resulting from community growth and increased public water supply monitoring requirements; and

WHEREAS, Mr. Misegades demonstrated exemplary commitment to his work and service to the citizens of Chesterfield County with his caring and effective handling of customer requests, his consistently reliable response to off-duty emergencies and his precise and dependable analytical work; and

WHEREAS, Mr. Misegades will forever have the admiration of his coworkers as a kind and good colleague whose support, companionship and ever-ready assistance brought unity and pride to the workplace; and

WHEREAS, Mr. Misegades has demonstrated his loyalty to Chesterfield County through his participation in numerous civic activities that enhanced the quality of life in Chesterfield County for everyone.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 23rd day of June 2004, recognizes Mr. Raymond L. Misegades for his outstanding contributions, expresses the appreciation of all residents for his service to the county, and extends appreciation for his dedicated service, congratulations upon his retirement, their best wishes for a long and happy retirement.



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: June 23, 2004

Item Number: 8.B.3.a.

Subject:

Request for a Music/Entertainment Festival Permit for Optimist Club of Enon Shrimp Festival on June 26, 2004

County Administrator's Comments:

Recommend Approval

County Administrator: _____ *SK*

Board Action Requested:

The Board of Supervisors is requested to grant a music/entertainment festival permit for the Optimist Club of Enon Shrimp Festival on June 26, 2004.

Summary of Information:

The Optimist Club of Enon proposes to conduct an outdoor concert on June 26, 2004 and has applied for a Music/Entertainment Festival Permit pursuant to § 3-12 of the County Code.

The event is planned to occur on the grounds of the Optimist Club of Enon located at 1101 Point of Rocks Road in Enon, Virginia between 4:00 p.m. and 8:00 p.m. All net proceeds generated by the concert will go to the Optimist Club, which intends to use the proceeds for programs that help children in the community, such as bicycle safety programs, scholarships for local school children and supporting the Junior Achievement education programs. Admission tickets will be sold for \$20.00. It is anticipated that between 400 and 500 persons will attend the concert. Food and drinks will be provided by outside vendors.

Preparer: Steven L. Micas

Title: County Attorney
0505(00):65494.1

Attachments:

☐

Yes

☒

No

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000049

**CHESTERFIELD COUNTY
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The music/entertainment arrangements have been reviewed by the County Attorney's Office and meet the substantive requirements of the ordinance. These arrangements provide adequate measures to insure public safety, fire prevention, medical protection, sanitation, traffic control, insurance coverage, relevant permits and security.

Although the Board of Supervisors may require a bond to insure compliance with the permit, the Board traditionally has not required a bond except when the event occurs on County property. Staff recommends that the Board not require a bond.

000050



**CHESTERFIELD COUNTY
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Meeting Date: June 23, 2004

Item Number: 8.B.3.b.

Subject:

Request for Entertainment/Musical Festival Permit from the Chesterfield County Fair Association

County Administrator's Comments:

Recommend Approval

County Administrator: _____

BP

Board Action Requested:

Staff recommends that the Board grant a musical/entertainment festival permit to the Chesterfield County Fair Association for the annual Chesterfield County Fair subject to compliance with staff recommendations.

Summary of Information:

The 91st annual Chesterfield County Fair ("Fair") will be held at the fairgrounds complex from August 27th through September 4, 2004. Because the Fair includes musical events, exhibitions and rides, the Fair Association must obtain a musical/entertainment festival permit. The Fair Association has subcontracted the responsibility for amusements and midway rides to Worldwide Entertainment, an experienced company.

Preparer: Steven L. Micas

Title: County Attorney
0505:65553.1

Attachments:



Yes



No

#

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**CHESTERFIELD COUNTY
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In its application, the County Fair Association agreed that the following health and safety requirements will remain in effect during the Fair's operation:

1. Two representatives of the Fair Association, with full authority to act on the Fair Association's behalf, must be present during all open hours of the Fair. One person from the Fair Association shall be present during all set up and take down hours.
2. A performance bond for site clean up and restoration in the minimum amount of \$2,000, naming the County as obligee, must be provided by either the Fair Association or its sub-contractor, Amusements of America.
3. Public telephones must be functioning during all hours that the Fair is open and while the Fair is being set up and taken down.
4. Fair personnel must be assigned for regular and routine cleanup of public restrooms, pursuant to a written cleaning schedule which must be established and followed. Signed records must be maintained which establish that cleanups have been performed.
5. Fair Association personnel and their subcontractors shall promptly comply with all County requests for action necessary to protect the County from liability for violations of any rights guaranteed by Constitutional, federal or state provisions by the Fair Association or its agents and employees.
6. Fair Association personnel must properly dispose of cooking grease in accordance with the recommendations and regulations of the Health Department during and after the conclusion of the Fair.

The plans for this year's Fair are consistent with plans approved by the Board in previous years. Prior to the commencement of the fair, staff will meet with representatives from the County Fair Association to confirm that the plans contain adequate measures to protect public safety, fire prevention, medical protection, sanitation, traffic control, insurance, bonds and building and ride safety. Staff recommends the Board grant a music/entertainment festival permit subject to adherence to all staff recommendations and the representations contained in the Fair Association's application. The \$100 entertainment permit application fee will be paid from the Board's annual budget appropriation to support the operation of the annual fair.

Staff will monitor compliance with the conditions of the permit prior to opening day, and for the duration of the Fair.

CHESTERFIELD *County Fair Association* INC.

(FAIR GROUNDS AT COURTHOUSE RD. & KRAUSE RD.)

APPLICATION FOR ENTERTAINMENT FESTIVAL PERMIT

A. The Chesterfield County Fair Association, Inc., 10801 Chalkely Road, Richmond, Virginia 23237, will hold the annual Chesterfield County Fair. The purpose being to promote agriculture, education, industry, business and the general betterment of Chesterfield County and its rural heritage.

B. The Chesterfield County Fair Association, Inc. is the promoter and financial sponsor of the Fair. Chesterfield County provides financial sponsorship.

See Exhibit A for a listing of the entertainment during the Fair.

C. The Fair will be held August 27, 2004 through September 4, 2004 at the Chesterfield County Fairgrounds. Hours of operation will be 4:00 p.m.--11:00 p.m. Monday through Friday, 11:00 a.m.--11:00 p.m. Saturdays and Sundays.

D. The Chesterfield County Fairgrounds is located at 10300 Courthouse Road. The property is owned by Chesterfield County.

E. The number of tickets to be offered for sale will be unlimited. Weather permitting, we would estimate an expected attendance of 50,000.

F. Sanitation facilities will consist of ladies' & men's restrooms in both permanent buildings; one crowd pleaser with running water and flush stools, divided into a ladies' & men's restroom; and, at various locations on the grounds, six (6) portable toilets. The rest rooms will have assigned personnel for routine clean-up. A written cleaning schedule will be established and signed as performed. The portable toilets will be emptied and cleaned daily.

Garbage and trash will be picked up daily.

Designated person(s) will pick up trash from the fairgrounds and parking areas each morning before the gates open.

The Fair will have persons (normally 6 people) who will clean the grounds after the closing of the Fair.

G. Various food vendors will be available with a variety of food. Public water is supplied to the fairground. There is a campground with water, sewer and electricity available for the vendors and concessionaires and the carnival employees.

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H. The Fair will provide a first aid station. Volunteer rescue squad units will be on the fairgrounds when available. 911 service will be available at all times. Police officers will be on premises at all times. All are trained in first aid. A courtesy cart will be available.

I. The Chesterfield County Fire Department will supervise fire safety. There will be fire extinguishers in all tents and food vendors. There are two (2) fire hydrants on the premises and one (1) across the street. Also, 911 service will be available.

Fire and rescue squad arrangements are all coordinated through the Volunteer Coordinator with the Chesterfield County Fire Department.

J. Parking facilities at Bird High School, Chesterfield Technical Center, and O. B. Gates Elementary School will be utilized. The Chesterfield County Police Department will handle traffic control.

K. All lighting and electrical work is handled by Tilghman Electric. The carnival is in charge of their own electrical work and lights. All outdoor lights are on permanent poles; it is basically the same lighting plan that has been in use since 1990.

L. As in previous years, every effort will be made to control the sound by the performers so as not to be a nuisance to adjacent property owners.

M. Risk Management (Melvin Hodges) obtains our liability insurance for the Fair. The county is reimbursed for the premium. Worldwide Entertainment carries its own insurance.

N. We authorize the Board, the County, its lawful agents, employees, designees or law enforcement officers to enter the property at any time prior to or during the Fair to determine compliance with any state or local statute, ordinance or regulation.

Rob Key of General Services will be setting up a meeting of all department heads involved with the Fair, and our General Manager. We also understand that Assistant County Attorney Stylian P. Parthemos, will be attending this meeting and can ascertain first hand who is coordinating each activity.

ADDENDUM TO APPLICATION FOR ENTERTAINMENT/FESTIVAL PERMIT OF CHESTERFIELD COUNTY FAIR ASSOCIATION

The following information is provided to supplement the information contained in our application for entertainment/festival permit:

1. The nine day estimated fair attendance, weather permitting, is approximately 50,000. We anticipate our highest daily attendance to be approximately 5,000 on Thursday Sept. 2, 2004, weather permitting.
2. The number of assigned personnel for restroom cleanup is typically 2 per day. The number of assigned personnel to pickup trash around the fairgrounds each day is 4. These persons are Fair Volunteers and the Sheriff's work force and the number will vary from time to time.
3. The daily morning trash pick-up from the fairgrounds and parking areas will be performed by County Building & Grounds employees. Typically, two employees perform this service.
4. The Fair will have six persons clean the grounds after the Fair. Cleanup will be accomplished to the satisfaction of the County within 12 days of the Fair's conclusion.
5. The number of County police officers typically available to assist with crowd control, first aid and emergency services is generally nine or ten. Additionally, five auxiliary police officers are typically available to assist, usually with traffic control.
6. One volunteer rescue squad ambulance crew, consisting of 3-4 trained personnel, is available and normally on site each day of the Fair, except when dispatched to an emergency. The County also provides one fire company crew of five to six trained firefighters on site each day.
7. Regarding sound control, we will lower the sound level if required to do so by the police Department in response to specific complaints from citizens in the neighborhood of the Fair.
8. Four County Building Inspectors and the County's Risk Management Loss Prevention Inspectors are either on site or available for quick response to the site when needed at all times during the Fair's operation. The Building Inspectors are available to confirm the continuing safety of the rides, tents and other structures. The Loss Prevention Inspectors provide general advice and instruction with regard to Fair safety. The Fair will comply with all instructions and advice of the Building Inspectors or Loss Prevention Inspectors.
9. Insurance obtained by the County's Risk Management Department on behalf of the Fair consists of Workers' Compensation insurance in the statutorily required amounts; Employer's Liability of \$500,000 each accident/disease; property insurance of \$6,000 on the fair trailer and \$10,000 for personal property; general liability insurance of \$1,000,000 for each occurrence and \$5,000,000 product liability; excess liability of \$1,000,000 for each occurrence; and employee theft of \$200,000. The Fair will reimburse the County's Risk Management Department for the purchase of this insurance.
10. Insurance carried by Worldwide Entertainment consists of workers' compensation coverage in the statutorily required amounts; \$5,000,000 per occurrence for general liability coverage; and \$1,000,000 per occurrence for automobile liability.

11. The number of personnel provided by the County as described in paragraphs 3, 5, 6 and 8 of this addendum represent the County's determination of the number of personnel necessary to perform these functions satisfactorily. If the County determines that either fewer or more people are necessary to perform those functions, the County will adjust the number of people whom it provides to perform each function. The Fair will abide by the County's determination of the number of people necessary to perform these functions. Similarly, the amount of insurance carried on behalf of the Fair, as described in paragraph 9, is determined by the County's Risk Management Department and is subject to adjustment if the County determines that a greater or lesser amount is necessary. The Fair will abide by the Risk Management Department's determination in this regard.

Thanks again for your cooperation ,



G.B. Spencer

General Manager

Chesterfield County Fair Association, Inc.

We further agree to the following per your request:

1. Two persons from the Fair Association, with appropriate designated authority, shall be present during all open hours of the Fair.
2. A performance bond for site clean up and restoration must be provided by either the Fair Association or our subcontractor. (\$ 2,500.00 minimum) This will be supplied by Worldwide Entertainment.
3. For public safety and convenience, the public telephones must be functioning during the Fair, including the Fair, set-up and take-down period.
4. Number 4 is addressed in item F.
5. Fair Association personnel and their subcontractors will promptly comply with all County requests for actions necessary to protect the County from liability for violations of any rights guaranteed by Constitutional, federal or state provisions by the Fair Association or its agents and employees.
6. Fair Association personnel will see that there is proper disposal of cooking grease, and to include engine oil, in accordance with the recommendations and regulations of the Department of Health , during and after the conclusion of the Fair.



G.B. Spencer, General Manager
Chesterfield County Fair Association, Inc.

2004 Fair Program

Friday August 27

- 9:00A.M. Judging all premium exhibits
- 4:00P.M. Gates Open
- 5:00P.M. James River Wood Carvers (Exhibition Building #2)
- 5:00P.M. Racing Pigs
- 6:00P.M. J.J. Huggles Show (Kiddie Land)
- 7:00P.M. Parade by the Mustang Club
- 8:00P.M. Brian Keith (Country Music) Grandstand
- 8:00P.M. Karaoke by Good Tymes (Back Stage Showcase Tent)

Saturday August 28

- 11:00A.M. Gates Open
- 11:00A.M. Chesterfield Open Horse Show--Horse Ring
- 12:00P.M. James River Wood Carvers (Exhibition Building #2)
- 1:00P.M. Little Miss and Mr. Pageant (Grandstand)
- 2:00P.M. Racing Pigs
- 3:00P.M. J.J. Huggles Show (Kiddie Land)
- 6:00P.M. Parade
- 8:00P.M. Southland Band (Grandstand)
- 8:00P.M. Karaoke (Back Stage Showcase Tent)

Sunday August 29

- 11:00A.M. Gates Open
- 11:00A.M. Chesterfield 4-H Open Horse Show (Horse Ring)
- 12:00P.M. Racing Pigs
- 1:00P.M. J.J. Huggles Show (Kiddie Land)
- 2:00P.M. to 3:00P.M. Chesterfield Children's Theater (Back Stage Showcase Tent)
- 5:00P.M. to 6:00P.M. Chesterfield Children's Theater (Back Stage Showcase Tent)
- 6:00P.M. Parade
- 8:00P.M. Sierra Band, Country and Classic Rock (Grandstand)
- 8:00P.M. Karaoke (Back Stage Showcase Tent)

Monday August 30

- 4:00P.M. Gates Open
- 5:00P.M. Racing Pigs
- 6:00P.M. J.J. Huggles Show (Kiddie Land)
- 7:00P.M. Parade
- 8:00P.M. The Marquee's, Rock 'n' Roll Comedy Show (Grandstand)
- 8:00PM Karaoke (Back Stage Showcase)

Tuesday August 31

- 4:00P.M. Gates Open
- 5:00P.M. J.J. Huggles Show (Kiddie Land)
- 6:00P.M. Racing Pigs
- 7:00P.M. Gospel Chicken House Band (Back Stage Showcase Tent)
- 7:00P.M. Parade
- 7:30P.M. The Webber Masters Gospel Quartet (Grandstand)
- 8:00P.M. Karaoke (Back Stage Showcase Tent)
- 8:15P.M. Miss Chesterfield County Fair Pageant (Grandstand)

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Wednesday Sept. 1

4:00P.M. Gates Open
5:00P.M. J. J. Huggles Show (Kiddie Land)
6:00P.M. Racing Pigs
7:00P.M. 4-H "Share the Fun Talent Show" (Back Stage Showcase Tent)
7:00P.M. Parade
8:00P.M. Wrestling (Grandstand)
8:00P.M. Karaoke (Back Stage Showcase Tent)

Thursday Sept. 2

4:00P.M. Gates Open
5:00P.M. J. J. Huggles Show (Kiddie Land)
6:00P.M. Racing Pigs
7:00P.M. Parade
8:00P.M. Ronnie McDowell Show (Grandstand)
8:00P.M. Karaoke (Back Stage Showcase Tent)

Friday Sept. 3

4:00P.M. Gates Open
5:00P.M. Racing Pigs
6:00P.M. J. J. Huggles Show (Kiddie Land)
7:00P.M. Parade
8:00P.M. Steve Hall Band with Shotgun Red (Grandstand)
8:00P.M. Karaoke (Back Stage Showcase Tent)

Saturday Sept. 4

11:00A.M. Gates Open
12:30P.M. J. J. Huggles Show (Kiddie Land)
1:30P.M. Racing Pigs
2:00P.M. Karaoke Contest Finals (Grandstand)
2:00P.M. to 3:00P.M. Chesterfield Children's Theater (Back Stage Showcase Tent)
5:00P.M. to 6:00P.M. Chesterfield Children's Theater (Back Stage Showcase Tent)
7:00P.M. Parade
8:00P.M. Trish Bonwell , Bluegrass (Grandstand)
9:15P.M. Shannon Stamper, Bluegrass (Gandstand)

Events During the Fair

The Petting Zoo by Eastern Henrico Animal Education Center (Lambeth's Petting Zoo)

Pony Rides (Kiddie Land)

Barrel Train Rides (Chesterfield Tractor Club)

Antique Tractor and Farm Equipment Display (Chesterfield Tractor Club)

Racing Pigs

Children's Tent (Kiddie Land)

J. J. Huggles Shows (Kiddie Land)

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CHESTERFIELD *County Fair Association* INC.

(FAIR GROUNDS AT COURTHOUSE RD. & KRAUSE RD.)

MIDWAY CONTRACT

THIS CONTRACT AND AGREEMENT entered into this 25th day of February, 2004, by and between the Chesterfield County Fair Association, Incorporated, herein called "Fair" and Worldwide Entertainment whose address is P.O. Box 16270, Chesapeake, Virginia, 23328, and whose phone number is (757) 482 - 5727, herein called "Midway".

WHEREAS, the Fair has certain rights, privileges and facilities at its disposal and Midway is desirous of leasing said facilities to conduct on the Fairgrounds such said rights and privileges for family entertainment, exhibition and concession purposes during the time of the Chesterfield County Fair.

THE FOLLOWING terms and conditions shall govern the lease by Midway:

1. CONTRACT FEES AND CONDITIONS. It is mutually agreed that as a proper and reasonable compensation for said rights, privileges and location, Midway shall pay to the Fair the sum of Seventy thousand dollars (\$70,000.00) dollars, for the year of 2004, to be paid in full no later than the last Saturday of the Fair. This amount shall be paid by three (3) installments; the first by August 1, 2004, in the amount of \$15,000.00, second installment by Wednesday, September 1, 2004 and the last installment by Saturday, September 4, 2004. Dates for the Fair will run for a period of nine (9) days and nights starting on the second Friday prior to Labor Day in August and ending on the Saturday prior to the Labor Day Holiday. This contract will be in effect for a period of one (1) year, renewable for an additional three (3) years upon signed agreement by both parties no later than 60 days after the close of each Fair during the contract period, subject to **all** conditions and contingencies herein stated.

2. SHOW. Midway agrees to present their entire attraction known as **Worldwide Entertainment** consisting of sufficient high class rides to fill the Chesterfield County Fair area available, to capacity. Midway will provide 26 or more rides, consisting of six (6) top-quality spectacular rides; 12-15 Kiddie Rides, and the balance to be major rides. Midway also will provide top quality shows, games, concessions, grab joints, music concessions, etc. sufficient to fill midway space. These to be set-up on the grounds of the Chesterfield County Fair known as "Fairgrounds" at

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10300 Courthouse Road, Chesterfield, Virginia, at the intersection of Krause Road and Courthouse Road at Chesterfield, Virginia. As a consideration to past Midway management, Midway agrees to provide space at the front of Midway area for popcorn/cotton candy concession belonging to Mrs. Valerie Vivona of Florida.

3. PERFORMANCE. Midway will be responsible for the set-up, layout and operation of the midway. Midway agrees to have all of their show in place and ready to operate in the designated area on the Fairgrounds no later than 12:00 P.M. on Friday, the opening day of the Fair. No part of said show and rides shall be removed before 11:00 P.M. on the closing Saturday of the Fair when all attractions shall close to the public. Midway will not book its shows and rides at any other location during the time that the Chesterfield County Fair is open without coverage mutually agreed to by the Fair Manager. Midway will arrive on Monday before the aforesaid deadline in which to prepare its show, exhibits and rides and will be allowed two days after closing in which to remove its entire show, exhibits and rides. Failure to have midway rides completed, inspected and in operating condition by aforesaid deadline will constitute a monetary penalty of \$1,000.00 per ride, per day until said devices are safely operating.

4. PASSES. The Fair agrees to furnish free gate admission for all actual attaches of Midway. Midway agrees to furnish his employees with proper identification to insure ease of operation at pass gates. Policy on carnival passes will be agreed to by all parties concerned.

5. DEFAULT. Midway will supply Fair with a letter of credit, deposit or other acceptable guarantee in an amount satisfactory to the Fair Manager. A post-fair performance bond in the amount of \$2,500.00 will be required to insure proper clean-up of grounds and facilities after the Fair. This bond is to be received by County of Chesterfield, Risk Management, P.O. Box 788, Chesterfield, Virginia 23832, no later than 30 days prior to the opening of the Fair. In the case of any default in the provisions of this contract, or failure for any cause, of Midway to show, Fair shall retain all monies or securities in its possession, including the guarantee as liquidated damages, and have sole right to release said rights, privileges and facilities without notice to Midway. This contract cannot be canceled by Midway without the written consent of the Fair Manager with endorsement by the Chesterfield County Fair Association, Inc. Board of Directors.

~~A performance bond in the amount of \$70,000.00 will be required to insure 26 rides to be set up at the Chesterfield County Fairgrounds by Thursday, August 26, 2004. Bond payable to the Chesterfield County Fair Association, Inc. in case of default.~~ (M)

~~OK If during the term of this contract the Midway violates any of the terms of this contract or fails to appear, Fair shall have the right to forthwith revoke all privileges granted Midway and take immediate possession of the premises. All sums due by Midway, including the total rent stipulated herein plus any penalty fee agreed to for rides, shall be forfeited to Fair as liquidated damages.~~

6. ASSIGNMENT. This contract and privileges granted, or any part thereof, cannot be assigned, sublet, or otherwise disposed of without the written consent of the Fair Manager.

7. LIABILITIES. It is expressly understood and agreed by and between the parties that under no circumstances or condition whatsoever shall the County or Fair, be liable for any damages or injury to Midway, Midway's property, equipment, employees, or to any person or their property or equipment which may occur on or about the Fairground property. Midway shall be liable for all damage to County's or Fair's property and to any other stored property arising from Midway's acts of negligence, including but not limited to the carrying on of unauthorized activities on the Fairgrounds. Midway will follow all laws and regulations of Chesterfield County while being housed on the Fairgrounds.

8. INDEMNIFICATION. Midway agrees to save and hold harmless the County and Fair, their agents, servants, officials, volunteers and employees from any and all claims, demands, suits, fees, liability, cost, damages, actions, acts of negligence, whether in whole or part of Midway or any of its agents, servants, officials, or employees upon or in any way connected with Midway's use.

9. UNDERSTANDINGS. The parties understand that the County retains all of the benefits and protections of the County's sovereign immunity and that the County does not have the ability as a matter of law to waive such immunity. The parties further agree that this agreement shall be subject to the rules and regulations printed in the Fair premium list and all rules and regulations of the Fair which govern all Fair vendors.

10. INSURANCE. Midway will furnish proof of liability insurance coverage, in the amount of at least Five Million Dollars (\$5,000,000.00) to the Fair at least thirty (30) days prior to the opening of the Chesterfield County Fair. Such insurance is to show the Midway, Fair and County of Chesterfield as jointly insured and specifically refer to the contractual obligations in this agreement. Midway will further require each "independent operator" who is not insured in Midway's insurance coverage to carry such coverage and to furnish like proof to the Fair. Midway will inform the Fair in writing of all such "operators".

Midway will supply proof of workers compensation and automobile liability coverage at least thirty (30) days prior to the opening of the Chesterfield County Fair and such requirement as stipulated above for "independent operators" will likewise apply to the workers compensation and automobile insurance.

11. SAFETY. Midway will see that all rides, mechanical devices, amusements, concessions, electrical apparatus, etc. continuously meet all safety, fire and health standards including special ground connections. Midway will be required to obtain proper permits from the Department of Building Inspections to cover set-up and safety inspections according to State and Local Amusement Device Codes. Midway will ensure

that all equipment is inspected and operated by competent employees of theirs who are knowledgeable and trained in all aspects of safe operation. Any inspections, consultations, advise or any other activity undertaken by Fair, County, or anyone else on their behalf shall not relieve Midway of their complete responsibility for safe operations in accordance with all standards, regulations and utmost good judgement.

- . Fire Extinguishers shall be placed on all rides and generators.
- . Crowd Control barriers need to be installed at the beginning of the Fair, during the Fair, in any areas the general public should not have access to.
- . All Oxygen-Acetylene Tanks to be kept in upright position and secured during the operation of the Fair.
- . Height signs on all rides shall be installed before the opening of the Fair.
- . The Chesterfield County Police Department requests that **all** Worldwide Entertainment personnel Names, Social Security Numbers, Addresses, and Birth Dates be furnished to them by the opening day of the Fair.

12. PROMOTIONS. All forms of advertising and other publicity will be coordinated by all parties concerned. It will be the responsibility of Midway to provide Posters (inside and outside) for distribution, obtain media advertising (newspaper, radio, TV, etc.) and in general help promote the Fair. It will be the responsibility of Midway to have a Press Conference called and sponsored by him in advance of opening to insure proper coverage of opening activities. Midway agrees to have a minimum of four (4) special priced Wristband Days during the time of the Fair with days being agreed to by the Midway and the Fair Manager. Midway is to have an advertising and promotional agent in the Richmond-Chesterfield area in March to discuss the implementation of the aforesaid promotions. A second meeting will be held forty-five (45) days prior to the opening date of the Fair.

13. CONTROL. All shows, riding devices, games, concessions, privileges and etc., shall be under the management, responsibility and control of Midway. Midway shall comply with all federal, state, and local laws. No gambling for money or immoral shows will be permitted to operate on the grounds during the engagement. County ordinance prohibits the use of alcohol and/or drugs on any County owned property and Midway shall take such action as to control this ordinance. Fair shall have the power to close any attraction that in the sole judgment of the Fair Manager is considered not moral, in violation of gambling regulations, or not in keeping with a wholesome family atmosphere in the best interest of the Fair. Fair shall maintain the admissions gate and receive all of the gross gate and parking as well as grandstand receipts, if any, during this engagement. Midway shall furnish their own tickets, ticket sellers, ticket boxes and ticket takers. All ticket personnel from Midway areas are to be secured, paid and supervised by the Midway.

14. SERVICES. The Fair intends to provide uniformed police patrol, however, Midway will be responsible for their own losses. It is anticipated but not

guaranteed, that water will be available as well as minimal electrical and sewer connections, excluding connections from trailers to source or outlet points, for a small number of campers. Restroom facilities of a limited nature will be available on the Fairgrounds. Midway shall be responsible for obtaining any additional "port-a-johns" or similar facilities necessary to maintain any health requirements. Restroom and shower facilities have been installed in the Midway camping area and it will be the responsibility of Midway personnel to keep these facilities clean and Midway employees will provide a neat, clean appearance during the open hours of the Fair. Any additional shower facilities will be the responsibility of Midway.

15. ATTRACTIONS. Fair intends but is not required to provide nightly family entertainment and provide special promotions of its own for each night of the Fair.

16. CARNIVAL AREA. Midway is permitted to include in its designated area up to six (6) top quality trailers selling candy apples, popcorn, cotton candy and similar food items which are owned and/or operated by Midway. Fair retains the exclusive privilege on the entire grounds for the novelty concessions, ice cream and for the sale of "ice" commonly known as "snowcones". Midway agrees that all food and drink concessions operated by it will purchase all commodities such as bread, ice, soft drinks, etc. from persons or firms to whom Fair has awarded exclusive privileges. In laying out its area Midway will maintain fire lanes per fire department regulations. Wide entrance-ways shall be left open for direct access to grandstands, restrooms, entrance to livestock and animal areas, parking and exhibit areas. Midway agrees to keep clean that portion of the Fairgrounds where it will locate its shows, rides, park its vehicles and maintains its living quarters. Midway shall prominently post prices for admissions to shows, rides, cost of games and food items. Fair shall have the right to regulate the maximum sale price of all items. Fair reserves the right to book eating and drink stands, cook houses, grab joints, stand for the sale of popcorn, candy apples, cotton candy, etc. to be located on independent space under the control of the Fair.

The sole and only consideration for the execution of this privileged contract is the terms specifically stated herein. Midway relies on no representations or warranty by County or Fair not set forth herein. No verbal agreements in variance with this contract are binding unless reduced to writing and made part hereof.

It is agreed that should the present management or ownership of Midway be changed, or if the facilities are not available or if the Fair is not held for any reason other than the Midway's breach of this contract, this contract may at the option of the Fair be canceled.

This contract shall insure to the benefit of and be binding upon the parties hereto, their heirs, admissions, administrators, successors and assignees.

THIS CONTRACT shall be constructed in accordance with the laws of the State of Virginia. Midway represents that it is a ^{Florida}~~Virginia~~ corporation.

In witness hereto, the parties hereto have appended their signatures this date, month and year first above written, they be duly authorized to do so.

CHESTERFIELD COUNTY FAIR ASSOCIATION, INC.

By: Y B Spencer 3-23-04
Fair Manager Date

Mary P. Shackley 3-23-04
Fair Secretary Date

**I CERTIFY THAT I HAVE READ THE CONTRACT AND AGREEMENT
PRIOR TO SIGNING THIS AGREEMENT.**

Worldwide Entertainment

By: [Signature]

Title: President

Address: P.O. Box 16270
Chesapeake, Virginia 23328
(757) 482-5727

CHESTERFIELD County Fair Association INC.

(FAIR GROUNDS AT COURTHOUSE RD. & KRAUSE RD.)

ADDENDUM TO ORIGINAL MIDWAY CONTRACT

This addendum dated February 25, 2004, between the Chesterfield County Fair Association, Inc. and Worldwide Entertainment is made a part of the Midway Contract with all of its conditions, changes and understandings for the 2004 Chesterfield County Fair to operate from **Friday, August 27, 2004 through Saturday, September 4, 2004.**

Additional Items Agreed To:

1. Worldwide Entertainment agrees to provide as their representative to the Chesterfield County Fair, Ron Weber.
2. Set-up, layout and operation of the Midway will be the responsibility of Worldwide Entertainment.
3. The Privilege Fee for 2004 will be \$70,000.00.
4. Worldwide Entertainment agrees to provide their shower and laundry room trailer. *(W)*
5. Worldwide Entertainment agrees to provide generators to subsidize the Campgrounds.
6. Worldwide Entertainment agrees to supply a trash truck and cans prior to the opening of the Fair.
7. Worldwide Entertainment will provide One Thousand (\$1,000.00) Dollars to cover the cost of labor to dismantle the Fair.
8. Worldwide Entertainment will print 10,000 Flyers advertising the Fair and 10,000 Coupons (\$3.00 off for Wristband Days), & 100 outside Posters for distribution.

Chesterfield County Fair Association, Inc.

By: H B Spencer Fair Manager 3-23-04
Title Date

By: Mary P. Shalkey Secretary 3-23-04
Title Date

Worldwide Entertainment Midway

By: [Signature] Perode 4-2-04
Title Date

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**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: June 23, 2004

Item Number: 8.B.4.a.

Subject:

Transfer of \$300 Each from the Midlothian, Matoaca, Dale, Bermuda and Clover Hill District Improvement Funds (\$1,500 Total) to the Eppington Foundation to Cover Costs Associated with the Colonial Heritage Fair

County Administrator's Comments:

County Administrator: *JBK*

Board Action Requested:

The Board of Supervisors is requested to transfer \$300 each from the Midlothian, Matoaca, Dale, Bermuda and Clover Hill District Improvement Funds (\$1,500 Total) to the Eppington Foundation to cover the costs associated with the Eppington Foundation Colonial Heritage Fair.

Summary of Information:

Each Supervisor has requested the Board to transfer \$300 from their respective District Improvement Fund (\$1,500 total) to the Eppington Foundation to cover the costs associated with the Eppington Foundation Colonial Heritage Fair to be held on October 2, 2004. The Fair is open to the general public and will consist of many activities including music and dance performances, children's colonial games, colonial craft demonstrations, historical displays, agriculture interpretation, and house and grounds tours.

Preparer: Rebecca T. Dickson

Title: Director, Budget & Management
0425:65439.1

Attachments:



Yes



No

#000067

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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The Board is authorized to transfer these funds under Section 15.2-953 of the Code of Virginia since the Eppington Foundation is a non-profit organization, which commemorates historical events in the County and the Heritage Fair is open to the general public.

For information regarding available balances in the District Improvement Fund accounts, please reference the District Improvement Fund Report.

000068

DISTRICT IMPROVEMENT FUNDS APPLICATION

This application must be completed and signed before the County can consider a request for funding with District Improvement Funds. Completing and signing this form does not mean that you will receive funding or that the County can legally consider your request. Virginia law places substantial restrictions on the authority of the County to give public funds, such as District Improvement Funds, to private persons or organizations and these restrictions may preclude the County's Board of Supervisors from even considering your request.

1. What is the name of the applicant (person or organization) making this funding request?
The Eppington Foundation

2. If an organization is the applicant, what is the nature and purpose of the organization? (Also attach organization's most recent articles of incorporation and/or bylaws to application.)
Provide Support for preservation and educational programs relating to the history and preservation of Eppington Plantation.

3. What is the amount of funding you are seeking?
\$1,500

4. Describe in detail the funding request and how the money, if approved, will be spent.
Funds will be used to cover the costs associated with Eppington Colonial Heritage Fair on October 2, 2004.(See Attached)

5. Is any County Department involved in the project, event or program for which you are seeking funds?
Parks and Recreation

6. If this request for funding will not fully fund your activity or program, what other individuals or organizations will provide the remainder of the funding?
Will partially fund. Sponsors and individuals are providing other funds and in-kind donations.

7. If applicant is an organization, answer the following:

Is the organization a corporation?

Yes ✓ No

Is the organization non-profit?

Yes ✓ No

Is the organization tax-exempt?

Yes ✓ No

8. What is the address of the applicant making this funding request?

Horace Mann, III, Vice President
The Eppington Foundaton
11525 Riviera Court
Chester, VA 23831

9. What is the telephone number, fax number, e-mail address of the applicant?

(804) 706-9557
peteandannemann@mailstation.com

Signature of applicant. If you are signing on behalf of an organization you must be the president, vice-president, chairman/director or vice-chairman of the organization.



Signature

Vice President, The Eppington Foundation
 Title (if signing on behalf of an organization)

Horace Mann, III
 Printed Name

21 MAR '04

Date



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Page 1 of 1

Meeting Date: June 23, 2004

Item Number: 8.B.4.b.

Subject:

Transfer \$2,000 from the Matoaca District Improvement Fund to the YMCA Indian Guides, Hopi Tribe (Mattaponi Nation) to Reconstruct the Chapel Retaining Wall at Camp Thunderbird

County Administrator's Comments:

County Administrator: _____ *JEP*

Board Action Requested:

Transfer \$2,000 from the Matoaca District Improvement Fund to the YMCA Indian Guides, Hopi Tribe (Mattaponi Nation) to reconstruct the chapel retaining wall at Camp Thunderbird.

Summary of Information:

Ms. Humphrey has requested the Board of Supervisors to transfer \$2,000 from the Matoaca District Improvement Fund to the YMCA Indian Guides, Hopi Tribe, (Mattaponi Nation) to reconstruct the chapel retaining wall at Camp Thunderbird. The current retaining wall is rotting and dangerous. The chapel is used for YMCA and YWCA camp functions and ceremonies and is used by over 1200 participants each year. The Board is given the specific legal authority under Va. Code §15.2-953 to make donations of public funds to YMCA and YWCA organizations.

For information regarding available balances in the District Improvement Fund accounts, please reference the District Improvement Fund Report.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management
0425:65161.1

Attachments:



Yes



No

000071

DISTRICT IMPROVEMENT FUNDS APPLICATION

This application must be completed and signed before the County can consider a request for funding with District Improvement Funds. Completing and signing this form does not mean that you will receive funding or that the County can legally consider your request. Virginia law places substantial restrictions on the authority of the County to give public funds, such as District Improvement Funds, to private persons or organizations and these restrictions may preclude the County's Board of Supervisors from even considering your request.

1. What is the name of the applicant (person or organization) making this funding request?

YMCA Indian Guides
Hopi Tribe (Matteponi Nation)

2. If an organization is the applicant, what is the nature and purpose of the organization? (Also attach organization's most recent articles of incorporation and/or bylaws to application.)

Indian Guides
is a program of the YMCA. Purpose is
for Fathers + Sons to spend quality time together

3. What is the amount of funding you are seeking?

\$ 2,000.00

4. Describe in detail the funding request and how the money, if approved, will be spent.

To rebuild the
Chapel retaining wall at Camp Thunderbird.
The current wall is dangerous and rotten

5. Is any County Department involved in the project, event or program for which you are seeking funds?

Only Programs that
use the Camp

6. If this request for funding will not fully fund your activity or program, what other individuals or organizations will provide the remainder of the funding?

Fathers in the Tribe +
YMCA

0407:23380.1

000072

7. If applicant is an organization, answer the following:

Is the organization a corporation?
Is the organization non-profit?
Is the organization tax-exempt?

| | |
|-----------|----------|
| Yes _____ | No _____ |
| Yes _____ | No _____ |
| Yes _____ | No _____ |

8. What is the address of the applicant making this funding request?

Weegie Thompson
14501 Feltbridge Way
Middleburg, VA 23112

9. What is the telephone number, fax number, e-mail address of the applicant?

T 337-6903
Weegie@comcast.net
F 353-0500

Signature of applicant. If you are signing on behalf of an organization you must be the president, vice-president, chairman/director or vice-chairman of the organization.

Willis H. Thompson Jr.
Signature

Retired Chief
Title (if signing on behalf of an organization)

Willis H. Thompson Jr.
Printed Name

2/13/04
Date

0407:23380.1

TOTAL P.03

000073



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: June 23, 2004

Item Number: 8.B.4.c.

Subject:

Transfer a total of \$3,000 from the Dale District Improvement Fund to the School Board to Purchase Band Uniforms for Meadowbrook High School

County Administrator's Comments:

County Administrator: _____ 

Board Action Requested:

Transfer a total of \$3,000 from the Dale District Improvement Fund to the School Board to purchase band uniforms for Meadowbrook High School.

Summary of Information:

Supervisor Miller has requested the Board transfer \$3,000 from the Dale District Improvement Fund to the School Board to purchase band uniforms for Meadowbrook High School. The County can give money to the School Board to purchase capital equipment to be used for school programs. The uniforms will be owned by the School Board and will become a part of the School Board's inventory of property.

For information regarding available balances in the District Improvement Fund accounts, please reference the District Improvement Fund Report.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management
0425:65567.1

Attachments:



Yes



No

#000074

**DISTRICT IMPROVEMENT FUNDS
APPLICATION**

*Rec'd
05-21-04*

This application must be completed and signed before the County can consider a request for funding with District Improvement Funds. Completing and signing this form does not mean that you will receive funding or that the County can legally consider your request. Virginia law places substantial restrictions on the authority of the County to give public funds, such as District Improvement Funds, to private persons or organizations and these restrictions may preclude the County's Board of Supervisors from even considering your request.

1. What is the name of the applicant (person or organization) making this funding request?

David L. Holley on behalf of
Meadowbrook Band Program.

2. If an organization is the applicant, what is the nature and purpose of the organization? (Also attach organization's most recent articles of incorporation and/or bylaws to application.)

3. What is the amount of funding you are seeking?

\$3,000.00

4. Describe in detail the funding request and how the money, if approved, will be spent.

This money will be
applied towards the remainder of our uniform bill.

5. Is any County Department involved in the project, event or program for which you are seeking funds?

No

6. If this request for funding will not fully fund your activity or program, what other individuals or organizations will provide the remainder of the funding?

Meadowbrook Band
Boosters

7. If applicant is an organization, answer the following:

Is the organization a corporation?

Yes _____ No _____

Is the organization non-profit?

Yes _____ No _____

Is the organization tax-exempt?

Yes _____ No _____

8. What is the address of the applicant making this funding request?

4901 Cogbill Road
Richmond, VA 23236

9. What is the telephone number, fax number, e-mail address of the applicant?

743-3675 x. 249
743-3686
david-holley@ccpsnet.net

Signature of applicant. If you are signing on behalf of an organization you must be the president, vice-president, chairman/director or vice-chairman of the organization.

David L Holley
Signature

Director of Bands/Meadowbrook H.S.
Title (if signing on behalf of an organization)

David L Holley
Printed Name

May 17, 2004
Date



**CHESTERFIELD COUNTY
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Meeting Date: June 23, 2004

Item Number: 8.B.5.

Subject:

Appropriate \$45,061 in Donations for the Fire and Emergency Medical Services Department

County Administrator's Comments:

County Administrator: _____

JSR

Board Action Requested:

Staff requests that the Board authorize the appropriation of \$45,061 in donations for the Fire and EMS Department.

Summary of Information:

Staff requests that the Board approve the acceptance and authorize the appropriation of \$45,061 in donations to the Chesterfield Fire and EMS Department. Contributions in the amount of \$40,000 were received from the Bon Air Volunteer Fire Department to upgrade the purchase of a pumper from an Enforcer to a Quantum. Donations in the amount of \$4,841 were received to enhance the smoke detector fund and \$220 was received for the Junior Safety Camp Program.

Preparer: Stephen A. Elswick

Title: Chief of Fire and Emergency Medical Services

Attachments:

☐

Yes

☒

No

000077



**CHESTERFIELD COUNTY
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Meeting Date: June 23, 2004

Budget and Management Comments:

This item requests that the Board approve the acceptance and appropriation of \$45,061 in donated funds for the Fire and Emergency Medical Services Department. Funds have been received and are available to appropriate.

Preparer: Rebecca T. Dickson

Title: Director, Budget & Management

000078



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: June 23, 2004

Item Number: 8.B.6.

Subject: Award Construction Contract for Greenfield Drainage Project

County Administrator's Comments: *Recommend Approval*

County Administrator: *JBR*

Board Action Requested:

The Board of Supervisors is requested to award a construction contract for the Greenfield Drainage Project to Interstate Construction Company in the amount of \$390,930; to transfer \$210,000 from the Miscellaneous Drainage account for this project; and to authorize the County Administrator to execute the necessary documents.

Summary of Information:

The Environmental Engineering Department has been preparing for the Greenfield Drainage Project for approximately six years. Due to environmental concerns of the U. S. Army Corp of Engineers (USACOE) and Department of Environmental Quality (DEQ), the project has been modified several times. The final project has been permitted by USACOE and DEQ with one permit expiring in the fall of 2004. The Utilities Right-of-Way Section has worked over two years to obtain dedication and right of entry to 13 properties. The project was bid on April 2, 2004 with a non-mandatory pre-bid meeting held on April 22, 2004. The bid documents were picked up by seven construction firms with only one firm submitting a bid. With permit expiration pending, a lower price was negotiated with the contractor rather than re-bidding the project.

District: Midlothian

Preparer: James G. Dunn **Title:** Director, Economic Development

Attachments:



Yes



No

000079

**CHESTERFIELD COUNTY
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Staff Recommendations:

Staff recommends that the Board of Supervisors award a construction contract for Greenfield Drainage Project to Interstate Construction Company in an amount of \$390,930 and authorize the County Administrator to execute the necessary documents. The Board of Supervisors is also requested to transfer \$210,000 from the miscellaneous drainage account into the Greenfield Drainage Project Account.

000080



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Page 3 of 3

Meeting Date: June 23, 2004

Budget and Management Comments:

This project will include the installation of rip rap and stream restoration behind 12 homes and is anticipated to be finished by the end of calendar year 2004. Funds are available in the Miscellaneous Drainage Account to transfer for project award to Interstate Construction Company for the Greenfield Drainage Improvements Project.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000081



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: June 23, 2004

Item Number: 8.B.7.

Subject:

Consideration to Allocate from the Utility Inducement Fund an Amount Not to Exceed \$394,000 to Pay for Relocating and Extending Existing Public Water and Wastewater Lines to Accommodate for the Development of Meadowville Technology Park Along Relocated Meadowville Road

County Administrator's Comments:

Recommend Approval

County Administrator: _____

[Signature]

Board Action Requested:

Approval to Use and Transfer Utility Inducement Funds in an amount not to exceed \$394,000 to cover the relocation and extension of an existing 24 inch public water line and use for public wastewater construction on the industrial property along relocated Meadowville Technology Park, and waive the requirement to post a performance bond and the requirement that the county's share of the total cost does not exceed 75%.

Summary of Information:

The County has adopted a Utility Inducement Program to fund the extension of water and wastewater lines for economic development projects. In conjunction with the relocation and upgrading of Meadowville Road in the Meadowville Technology Park, and the Department of Economic Development's plan to prepare a site for speculative industrial building, it would be cost effective and timely to incorporate upgrades and extensions to the utilities serving this area of the Park.

Recent high tech prospects have eliminated the Park because there was a perception we could not meet their construction schedules without these utility and road upgrades already underway or in place. While there is not an immediate prospect involved, this action will significantly improve the opportunities to attract them.

Preparer: James G. Dunn Title: Director, Economic Development

Attachments:

☐

Yes

☒

No

000083

**CHESTERFIELD COUNTY
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Page 2 of 2

Meeting Date: June 23, 2004

Budget and Management Comments:

This agenda item requests that the Board consider allocation of Utility Inducement funds to extend the existing water and sewer lines in the Meadowville Technology Park to accommodate development. Funding in the amount of \$394,000 is available in the water and wastewater CIP, project numbers 898701B and 898903B.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000084



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: June 23, 2004

Item Number: 8.B.8.

Subject:

Execute the Special Service Agreement with the Central Virginia Waste Management Authority (CVWMA) for Recycling Used Lead-Acid Batteries at the County Transfer Stations

County Administrator's Comments:

Recommend Approval

County Administrator:

JBR

Board Action Requested: Authorize the County Administrator to sign the Special Project Service Agreement with the Central Virginia Waste Management Authority (CVWMA) for recycling used lead-acid batteries at the county transfer stations through September 30, 2006.

Summary of Information: The county currently receives approximately 3,300 used lead-acid batteries per year for disposal at the transfer stations. At the present time the county has an informal agreement with the Battery Barn that collects these batteries in order to recycle them. However, the Central Virginia Waste Management Authority has entered into a contract with the Battery Barn to collect and recycle these used batteries from participating member jurisdictions. Through this Special Service Agreement the county would not incur any cost for collection but would receive revenue ranging from \$.25 per battery up to \$1.00 per battery depending on battery size. In addition, the county would benefit from the contract's provision that the contractor carries a minimum \$2,000,000 environmental liability policy that will give the county additional coverage.

Staff recommends approval of this agreement.

Preparer: Francis M. Pitaro

Title: Director of General Services

Attachments:



Yes



No

#

000085

SPECIAL PROJECT SERVICE AGREEMENT FOR LEAD-ACID BATTERY COLLECTION AND RECYCLING

This SPECIAL PROJECT SERVICE AGREEMENT (hereinafter "Service Agreement") is made by and between the CENTRAL VIRGINIA WASTE MANAGEMENT AUTHORITY (hereinafter "CVWMA" or "Authority"), its successors and assigns, having its principal place of business at 2104 West Laburnum Avenue, Suite 105, Richmond, Virginia 23227; and (if executed on the appropriate page 7 – signature – end page of this agreement).

COUNTY OF CHESTERFIELD (CHE),
COUNTY OF GOOCHLAND (GCH),
COUNTY OF HENRICO (HEN),
COUNTY OF HANOVER (HAN),
COUNTY OF NEW KENT (NKT),
COUNTY OF POWHATAN (POW),
COUNTY OF PRINCE GEORGE (PRG),
CITY OF COLONIAL HEIGHTS (COL), and
CITY OF RICHMOND (RIC)

(hereinafter, collectively, "Participating Local Jurisdictions").

SECTION 1 - PURPOSE

A. The parties have entered into this Service Agreement pursuant to the authority of the Virginia Water and Waste Authorities Act (Title 15.2, Chapter 51 of the Code of Virginia, 1950 as amended), and the Articles of Incorporation of the CVWMA. Its purpose is to establish a special project for Lead-Acid Battery Collection and Recycling Services within the Participating Local Jurisdictions as authorized by Section 11 of the Articles.

B. The Participating Local Jurisdictions agree to participate in this special project according to the terms and conditions of this Service Agreement. The Participating Local Jurisdictions further agree that this Service Agreement shall take effect in each Participating Locality upon execution and return of a signed copy of this Service Agreement to the CVWMA.

C. The parties agree that the CVWMA will implement this special project through a private vendor contract, based upon an Invitation for Bids (IFB) 03-26 issued by the CVWMA on June 16, 2003, as reflected in Service Contract entered into between the CVWMA and the Contractor, Battery Barn of Virginia, Inc.

SECTION 2 - DEFINITIONS

For the purpose of this Service Agreement, the definitions contained in this section shall apply unless otherwise specifically stated. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular, and words in the singular include the plural. Use of the masculine gender shall include the feminine gender. The word "shall" is always mandatory and not merely discretionary.

A. *Authority or CVWMA* - shall mean the Central Virginia Waste Management Authority, the instrumentality created under the provisions of the Virginia Water and Waste Authorities Act, §15.2-5100, et seq., and includes the individual members (or voting alternates) of the CVWMA Board of Directors, and the officers, agents or employees of the Central Virginia Waste Management Authority. For the purposes of this Service Agreement, "Authority" shall not include the governing bodies, the individual elected

officials of the Participating Local Jurisdictions served by this Service Agreement, except those elected officials who serve as members or alternates of the CVWMA Board of Directors, nor the employees or agents of the Participating Local Jurisdictions acting on behalf of their employer or principal, respectively.

- B. *Contract* – shall mean the written contract and all amendments thereto, between the CVWMA and the Contractor, governing the provision of lead-acid battery collection and recycling services.
- C. *Contractor* - shall mean the individual, Contractor, firm, partnership, joint venture, corporation, or association performing Lead-Acid Battery Collection and Recycling Services under Contract with the Central Virginia Waste Management Authority (CVWMA).
- D. *Force Majeure* - Any cause beyond the reasonable control of the party whose performance under this Service Agreement is affected, including but not limited to acts of God, change in law, war, riot, fire, explosion, wind storm, flood, inability to obtain or use fuel, power, or raw materials, shortage or failure of the usual means of transportation, injunction, action by governments not party to this Service Agreement, accident, and breakdown of machinery or equipment. "Reasonable control" of a party shall specifically exclude that party's ability to reach a resolution in a labor dispute and that party's ability to settle or compromise litigation.
- E. *Member Jurisdictions* – shall mean the members of the CVWMA including the Counties of Charles City, Chesterfield, Goochland, Hanover, Henrico, New Kent, Powhatan and Prince George; the Cities of Colonial Heights, Hopewell, Petersburg, Richmond and the Town of Ashland.
- F. *Lead-Acid Battery* means a device consisting of one or more cells each containing the essentials for the storage and production of electrical energy through chemical reactions involving lead and acids.
- G. *Special Project Service Agreement or Service Agreement* - shall mean this Service Agreement between the CVWMA and the Participating Local Jurisdictions, together with all modifications or amendments thereto.
- H. *Participating Local Jurisdictions*– shall mean those Member Jurisdictions that have executed this Special Project Service Agreement.

SECTION 3 – TERM OF AGREEMENT

The term of this Service Agreement shall run concurrently with the term of the Contract with the Contractor, and shall terminate when such Contract terminates. The term of that Contract is on or about April 1, 2004, through September 30, 2006, with two (2) additional two (2) year renewal options. Renewal of any such Contract will be by mutual written consent of the CVWMA and the individual Contractor. The CVWMA and any Participating Local Jurisdiction may renew this Service Agreement by written consent given not less than ninety (90) days prior to the expiration of its then current term. This Service Agreement shall become effective and operations hereunder may commence in a Participating Local Jurisdiction following execution of this Service Agreement by such Participating Local Jurisdiction.

SECTION 4 – SPECIAL PROJECT DESCRIPTION, PAYMENT SCHEDULE

A. The CVWMA will contract with the Contractor for the collection of sealed and unsealed lead-acid batteries weighing two and one half pounds or more from collection sites designated by the CVWMA member jurisdictions that choose to participate in the project. The CVWMA will work with Participating Local Jurisdictions and the Contractor to coordinate collection sites, schedules and anticipated quantities.

B. The Contractor shall provide the services for the loading, transportation and handling of all batteries meeting the stated criteria collected by member jurisdictions through this project. The Contractor shall assure that batteries shall be properly labeled, transported and handled during shipment to a licensed and properly permitted battery recycling facility. The Contractor will provide the CVWMA with documentation that the Contractor is in compliance with all applicable federal, state and local laws, regulations and ordinances. The Contractor will also certify and provide documentation to the CVWMA that all batteries collected, and handled through this project are being sent to a facility or facilities where the batteries are recycled in a manner compliant with all applicable federal, state and local laws regulations and ordinances. The Contractor shall provide all necessary equipment and personnel needed to carry out the project, either solely or through their subcontractors or affiliates. The Contractor will be required to report the number of batteries collected by size in each participating locality monthly to the CVWMA.

C. Collections shall be made at the request of the Participating Local Jurisdiction and the CVWMA. Requests for collection shall be made to the CVWMA by the Participating Locality and communicated in writing by the CVWMA to the Contractor. Neither the CVWMA nor the Participating Local Jurisdiction shall be charged for the collection of the lead-acid batteries.

D. The Contractor will pay the CVWMA as follows: \$.25 for all batteries collected greater than or equal to 2.5 pounds but less than 15.0 pounds; \$.50 for all batteries greater than or equal to 15.0 pounds but less than 35.0 pounds; \$.75 for all batteries greater than or equal to 35.0 pounds but less than 100.0 pounds; \$1.00 for all batteries greater than or equal to 100.0 pounds.

E. The Contractor shall provide a listing of the number by size of batteries collected during the prior month from each Participating Locality to CVWMA by the end of the tenth workday of each month. The Contractor shall provide that listing of the number of batteries by size collected by Collection Location for each Participating Locality. The CVWMA shall remit to each Participating Local Jurisdiction seventy-five percent (75%) of all amounts collected from the Contractor for lead-acid batteries from Collection Locations within such Participating Local Jurisdiction. The remittance shall be made by the 25th of the month following the month during which the CVWMA received payment.

F. The Contract is a "requirements" contract and the CVWMA does not guaranty any quantities of batteries to be presented to the Contractor. Nevertheless, the Contract provides that the Contractor shall purchase, collect, transport and recycle or otherwise dispose of all batteries collected by the Participating Local Jurisdictions in accordance with the terms of the Contract.

G. Each Participating Local Jurisdiction will specify to the CVWMA the site or sites from which it wishes to have the Contractor collect the lead-acid batteries.

H. Title to, control of and responsibility for batteries collected from the Collection Sites shall transfer to Contractor upon loading of such materials on the vehicles designated by the Contractor. The CVWMA will at no time hold title to batteries or other materials collected under this Agreement or the Contract.

SECTION 5 – NO PARTNERSHIP

Nothing herein shall be construed to constitute a joint venture or the formation of a partnership among or between the CVWMA, the Contractor and the Participating Local Jurisdictions any or all of them.

SECTION 6 – FORCE MAJEURE

Should any Contractor fail to perform the services under the Contract with the CVWMA by reason of Force Majeure, the CVWMA shall, where practicable, take all reasonable steps to secure another Contractor to perform those services. Failure of the CVWMA to perform under this Agreement by reason of Force Majeure affecting the CVWMA or any Contractor shall not constitute a default or cause for termination of this Agreement. However, in case of non-performance due to Force Majeure, the CVWMA shall immediately notify the Participating Local Jurisdictions in writing of the failure, including reasons for such failure, and shall make reasonable efforts to correct such failure and to continue performance at the earliest possible date.

SECTION 7 – TERMINATION AND NON-APPROPRIATION

A. A Participating Local Jurisdiction desiring to withdraw from this Service Agreement shall give the CVWMA thirty (30) days advance written notice of its intent withdraw.

B. The parties to this Service Agreement agree that termination pursuant to Section 7 shall be without penalty or liability to either party.

C. Notwithstanding the withdrawal of any Participating Local Jurisdiction, this Service Agreement shall remain in effect with respect to any remaining Participating Local Jurisdiction(s).

SECTION 8 – COMPLIANCE WITH LAWS AND REGULATIONS AND GOVERNING LAW.

The parties to this Service Agreement agree that the laws of the Commonwealth of Virginia shall govern the validity, construction, interpretation, and effect of this Service Agreement. This Service Agreement is entered into and is to be performed in the Commonwealth of Virginia. Any dispute or claim arising out of or relating to this Service Agreement shall be resolved in the Circuit Court of the City of Richmond, Virginia.

SECTION 9 – SEVERABILITY AND WAIVER

In the event any provision of this Service Agreement shall be held to be invalid and unenforceable, the remaining provisions shall be binding upon the parties. Should any term, provision or other part of this Service Agreement be held to be unenforceable, such provision or portion thereof shall be reformed to comply with applicable laws or regulations preserving to the greatest extent possible the original intent of the unenforceable provision. Waiver of a breach by any party of any provision, term, condition, or covenant of this Service Agreement shall not be construed by the other party as a waiver of a subsequent breach of such provision by the waiving party.

SECTION 10 – NON-ASSIGNMENT

Neither the Participating Local Jurisdictions nor the CVWMA shall assign their respective duties under this Service Agreement without the written consent of all other signatories to this

Service Agreement. This Service Agreement shall be binding upon and inure to the benefit of the permitted successors and assigns of the parties.

SECTION 11 – INSURANCE AND INDEMNIFICATION

A. Insurance. The Contractor shall be required to carry and maintain in effect public liability insurance coverage with a company licensed to do business in the Commonwealth of Virginia and in the amounts and coverages specified below. The Contractor shall, prior to commencement of work under the Contract, deliver Certificates of Insurance from carriers acceptable to the Contractor specifying such limits, with the CVWMA and each Participating Local Jurisdiction participating in this proposed project named as additional insured parties. The Contractor shall ensure that the carrier or carriers shall agree to give the CVWMA thirty (30) days written notice of its decision to cancel, change or fail to renew coverage. The CVWMA reserves the option to increase the required insurance amounts if the contract is renewed beyond the initial three-year term.

- a. Worker's Compensation
Coverage A - Statutory Requirements
Coverage B - \$100,000/\$500,000/\$100,000
Other States Endorsement
- b. Automobile Liability, Including Owned, Non-Owned and Hired Car Coverage
Limits of Liability - \$2,000,000 Combined Single Limit for Bodily Injury and Property Damage
- c. Comprehensive General Liability
Limits of Liability - \$2,000,000 Combined Single Limit for Bodily Injury and Property Damage
Including: Completed Operations/Products
Contractual Liability for Specified Agreements
Personal Injury
XCU (Explosion, Collapse and Underground Coverage)
Broad Form Property Damage

NOTE: The levels of coverage required in b. and c. can be met by the primary policy alone or in concert with an excess liability policy.

The Contractor shall provide, if required, evidence showing compliance with the above requirements to the satisfaction of the CVWMA prior to commencement of work under the Contract. Failure to comply with this requirement may be cause for termination of the Contract, in the sole discretion of the CVWMA.

B. Indemnification. The Contractor shall indemnify, and hold CVWMA and the Participating Local Jurisdictions, their officers, agents and employees harmless, now and in the future for all obligations and situations, relating to compliance with any and all federal, state or local environmental laws and regulations applicable to any of facilities, properties (real or personal) or any operations or equipment used in connection with the Contractor's performance under this Contract, including such laws regulating the ownership, use, monitoring and/or operation of any facility, batteries or other associated equipment or operations pursuant to the Contract.

The Contractor shall indemnify and hold the CVWMA and the Participating Local Jurisdictions, their officers, agents and employees harmless from and defend against all claims, (legal, equitable, or administrative), damages, losses, expenses, fees of consultants, experts and attorneys, remediation, removal and clean-up costs and all other costs, liabilities or expenses arising out of or resulting from (a) the performance or failure to perform contracted services or (b) the purchase, collection, sale or disposal of goods or the failure to do any of the foregoing under this Contract. Contractor's obligation to indemnify shall extend but not be limited to, (c) any such claim, damage, loss or expense attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property, including loss of use, or economic loss, and (d) any and all claims against the CVWMA or any of the Participating Local Jurisdictions by third-parties or agencies of the federal, state or local governments for any environmental liability due to a release of pollutants to the environment, whether imposed by statute, ordinance, regulation or common law now or hereafter in effect. The making of a claim or the institution of legal or equitable or administrative action on any one cause shall not prejudice or bar subsequent claim or action on any other cause or causes of action, regardless of when such cause of action may have arisen.

SECTION 12 – ADDITIONAL PARTIES

- A. It is understood and agreed upon by the parties, upon written request from any of the other member local governments of the CVWMA service area, that the CVWMA may enter into a Service Agreement Addendum with such other member Jurisdiction(s)
- B. It shall be understood by the parties to this Service Agreement that no other additional parties shall be eligible to participate in this special project without a written addendum to this Service Agreement.
- C. This Service Agreement shall remain in full force and effect between the remaining parties notwithstanding termination with respect to any Participating Locality.

SECTION 13 – ENTIRE AGREEMENT

This Service Agreement represents the entire agreement between the CVWMA and the Participating Local Jurisdictions and supersedes all prior negotiations, representations or agreements, either written or oral. This Service Agreement may only be amended by written document signed by the Participating Local Jurisdictions and the CVWMA after approvals granted by the governing bodies of the Participating Local Jurisdictions and the CVWMA unless said amendment authority has been previously delegated to the authorized representatives of the CVWMA and the Participating Local Jurisdictions in the opinion of local and CVWMA legal counsel.

THE REST OF THIS PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the CVWMA and the Participating Local Jurisdictions have caused this Agreement to be executed.

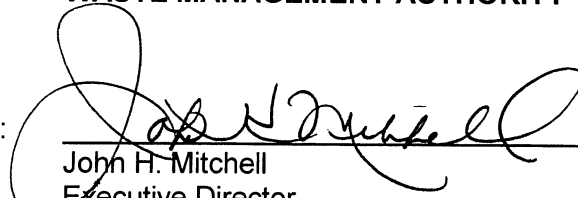
APPROVED AS TO FORM:



McCandlish Holton, P.C.

CENTRAL VIRGINIA
WASTE MANAGEMENT AUTHORITY

By:



John H. Mitchell
Executive Director

Date:

3/25/04

APPROVED AS TO FORM:

COUNTY OF CHESTERFIELD

Steven L. Micas
County Attorney

By:

Lane B. Ramsey
County Administrator

Date:

000092



CHESTERFIELD COUNTY BOARD OF SUPERVISORS AGENDA

Page 1 of 1

Meeting Date: June 23, 2004

Item Number: 8.B.9.

Subject: State Road Acceptance

County Administrator's Comments:

County Administrator: _____

Board Action Requested:

Summary of Information:

Bermuda: Montclair at Southbend, Section 1; remainder of

Dale: Government Center Parkway and Mimms Drive
Woodland Pond, Section 13
Woodland Pond, Section 14

| | |
|-----------------|--|
| Matoaca: | Bayhill Pointe, Section 14 Chesdin Ridge, Section A and a portion of Trents Farms Chesdin Ridge, Section B |
|-----------------|--|

Midlothian: Lenox Forest at Riverdowns, Section 1
 Polo Place

Preparer: Richard M. McElfish

Title: Director, Environmental Engineering

Attachments:

1. *Journal of Management Studies*, 1995, 32, 1, 1-14.

000093

TO: Board of Supervisors

FROM: Department of Environmental Engineering

SUBJECT: State Road Acceptance - MONTCLAIR AT SOUTHBEND, SEC. 1

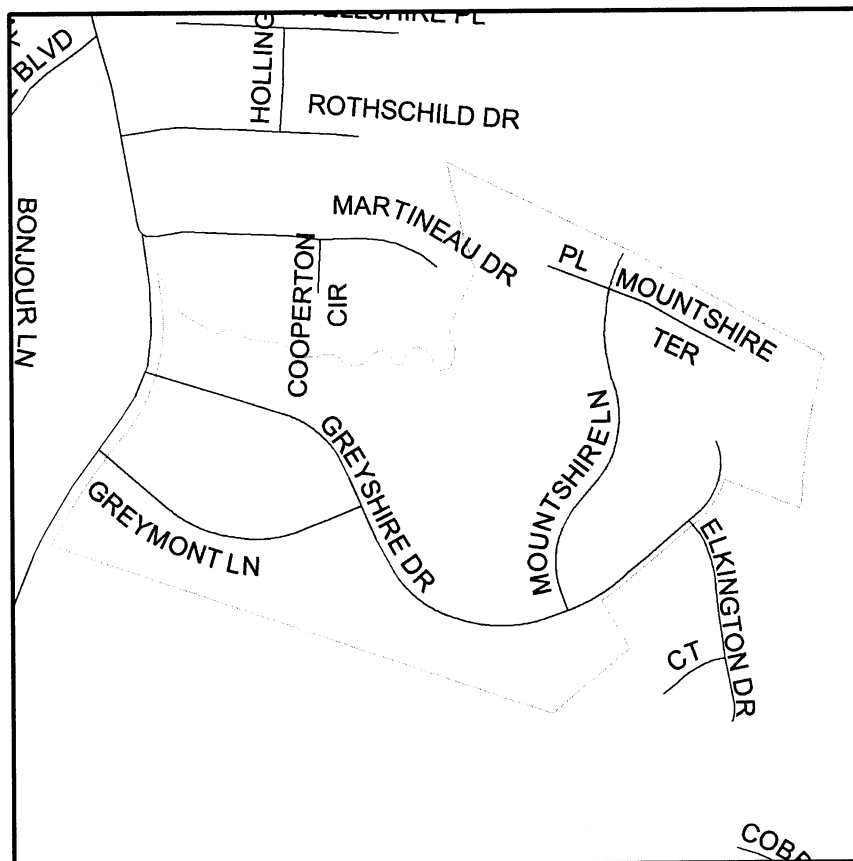
DISTRICT: BERMUDA

MEETING DATE: 23 June 2004

ROADS FOR CONSIDERATION:

GREYSHIRE DR
MOUNTSHIRE LN
MOUNTSHIRE PL
MOUNTSHIRE TER

Vicinity Map: MONTCLAIR AT SOUTHBEND, SEC. 1



TO: Board of Supervisors

FROM: Department of Environmental Engineering

SUBJECT: State Road Acceptance - Government Center Pkwy and Mimms Dr

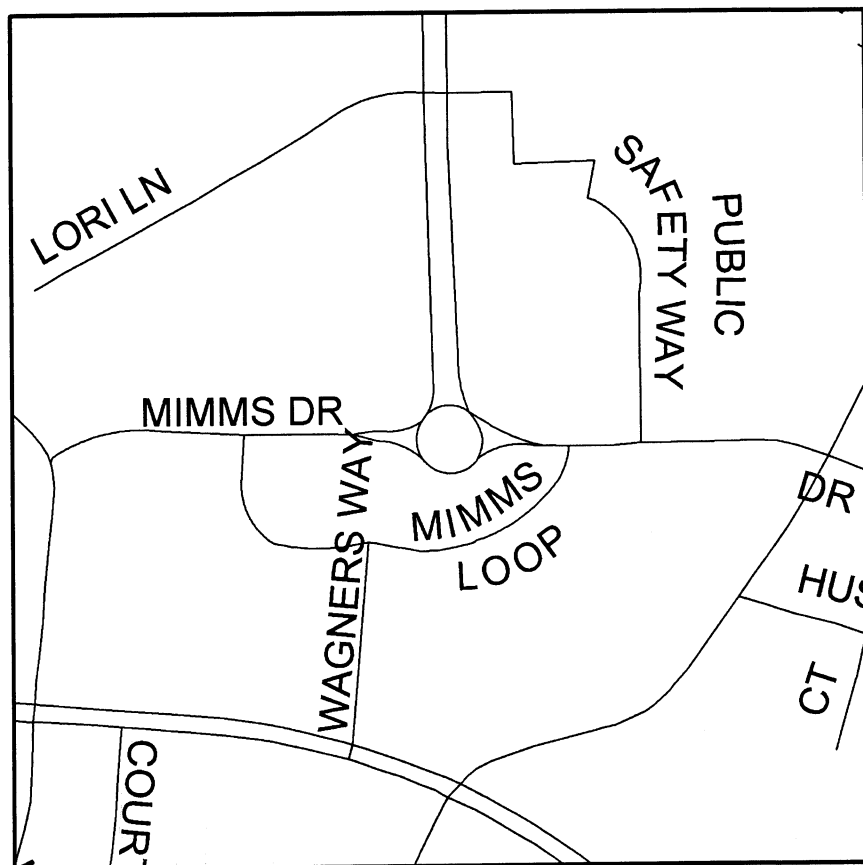
DISTRICT: DALE

MEETING DATE: 23 June 2004

ROADS FOR CONSIDERATION:

GOVERNMENT CENTER PKWY
MIMMS DR

Vicinity Map: Government Center Pkwy and Mimms Dr



TO: Board of Supervisors

FROM: Department of Environmental Engineering

SUBJECT: State Road Acceptance - WOODLAND POND, SEC. 13

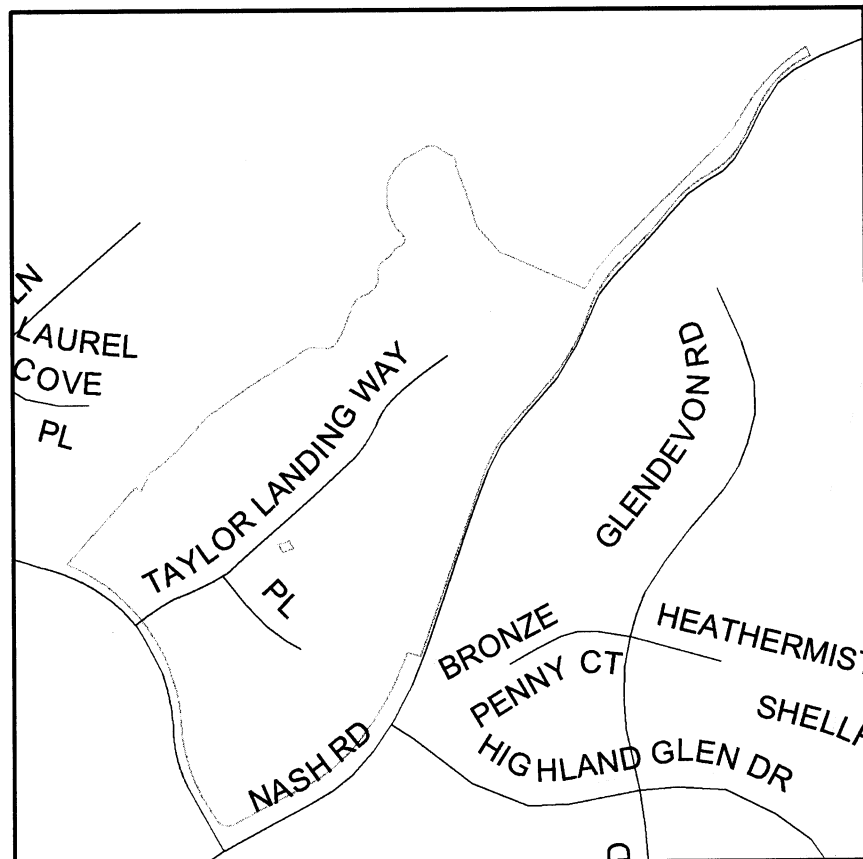
DISTRICT: DALE

MEETING DATE: 23 June 2004

ROADS FOR CONSIDERATION:

TAYLOR LANDING PL
TAYLOR LANDING WAY

Vicinity Map: WOODLAND POND, SEC. 13



TO: Board of Supervisors

FROM: Department of Environmental Engineering

SUBJECT: State Road Acceptance - WOODLAND POND, SEC 14

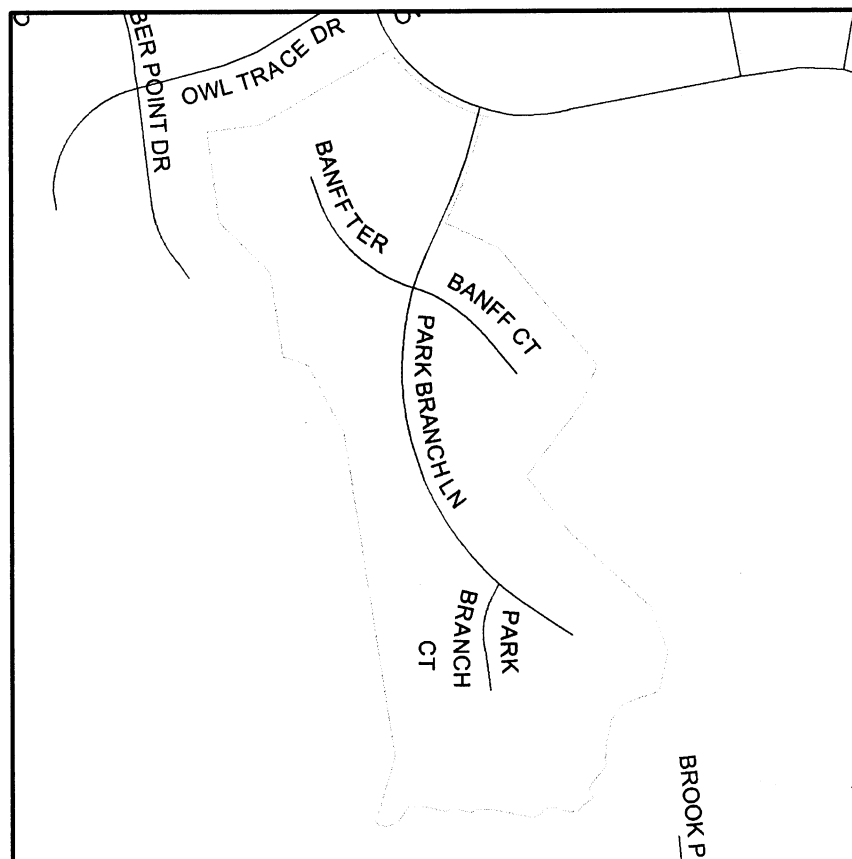
DISTRICT: DALE

MEETING DATE: 23 June 2004

ROADS FOR CONSIDERATION:

BANFF CT
BANFF TER
PARK BRANCH CT
PARK BRANCH LN

Vicinity Map: WOODLAND POND, SEC 14



TO: Board of Supervisors

FROM: Department of Environmental Engineering

SUBJECT: State Road Acceptance - BAYHILL POINTE, SEC 14

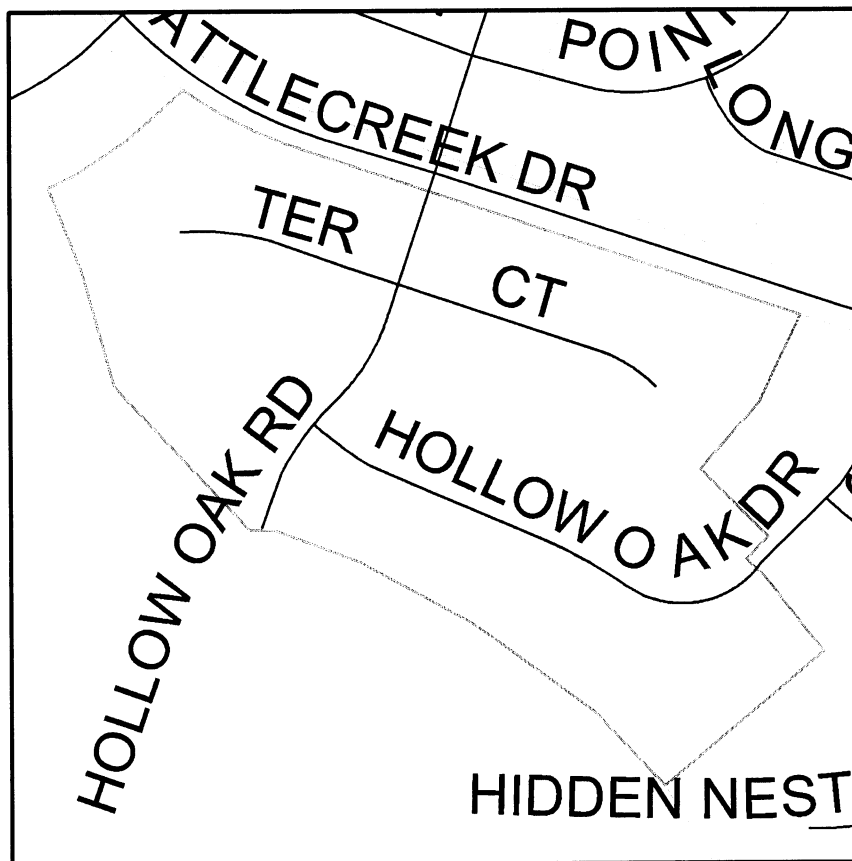
DISTRICT: MATOACA

MEETING DATE: 23 June 2004

ROADS FOR CONSIDERATION:

HOLLOW OAK DR
HOLLOW OAK RD
HOLLOW OAK TER

Vicinity Map: BAYHILL POINTE, SEC 14



000098

TO: Board of Supervisors

FROM: Department of Environmental Engineering

SUBJECT: State Road Acceptance - CHESDIN RIDGE, SEC A and a portion of TRENTS FARMS

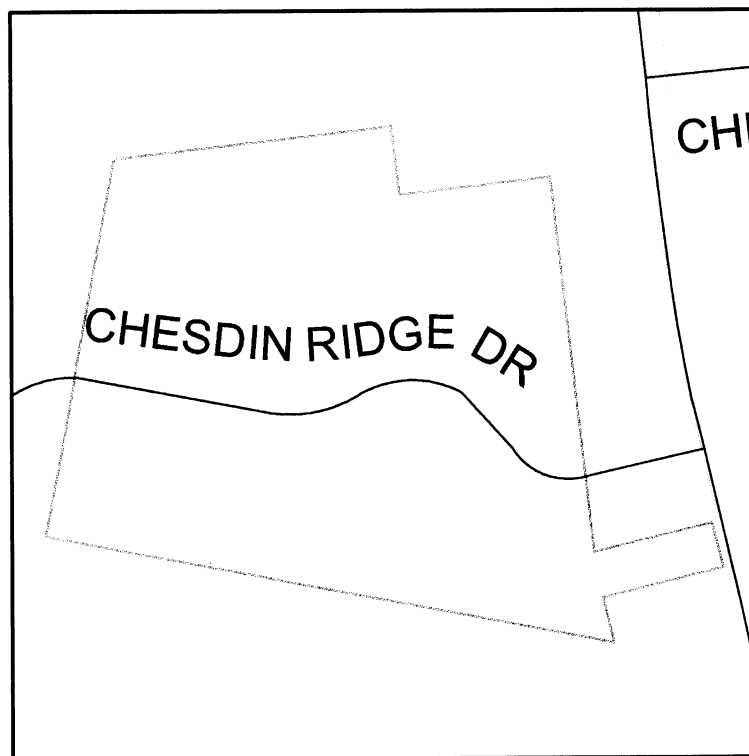
DISTRICT: MATOACA

MEETING DATE: 23 June 2004

ROADS FOR CONSIDERATION:

CHESDIN RIDGE DR

Vicinity Map: CHESDIN RIDGE, SEC A and a portion of TRENTS FARMS



Produced By Chesterfield County GIS

000099

TO: Board of Supervisors

FROM: Department of Environmental Engineering

SUBJECT: State Road Acceptance - CHESDIN RIDGE, SEC B

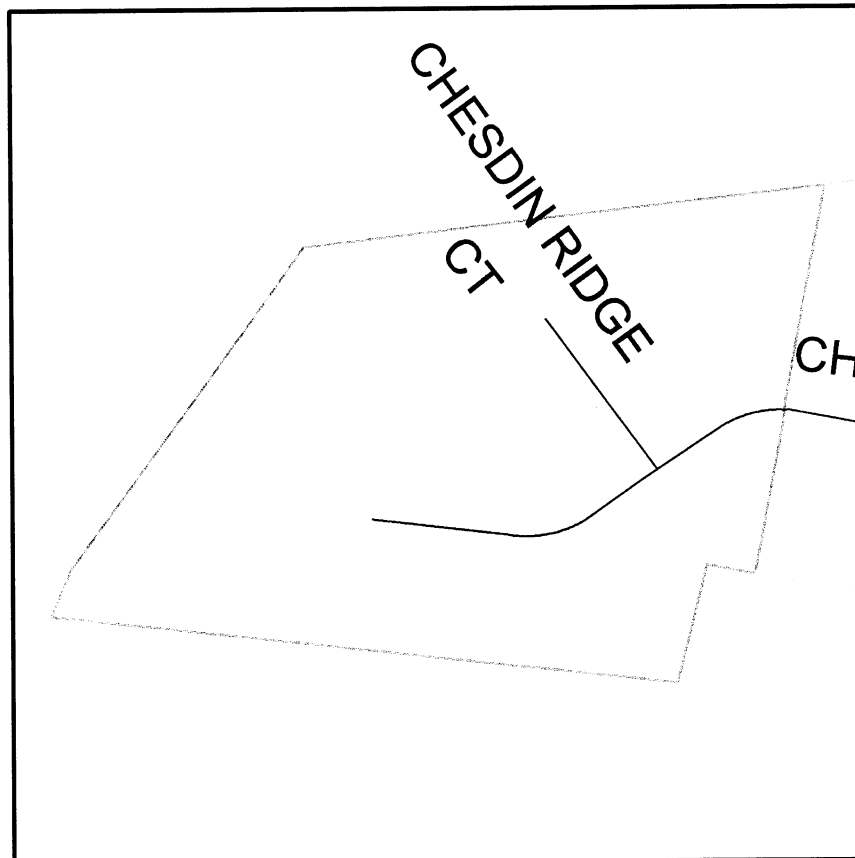
DISTRICT: MATOACA

MEETING DATE: 23 June 2004

ROADS FOR CONSIDERATION:

CHESDIN RIDGE CT
CHESDIN RIDGE DR

Vicinity Map: CHESDIN RIDGE, SEC B



000100

TO: Board of Supervisors

FROM: Department of Environmental Engineering

SUBJECT: State Road Acceptance - LENOX FOREST AT RIVERDOWNS, SEC. 1

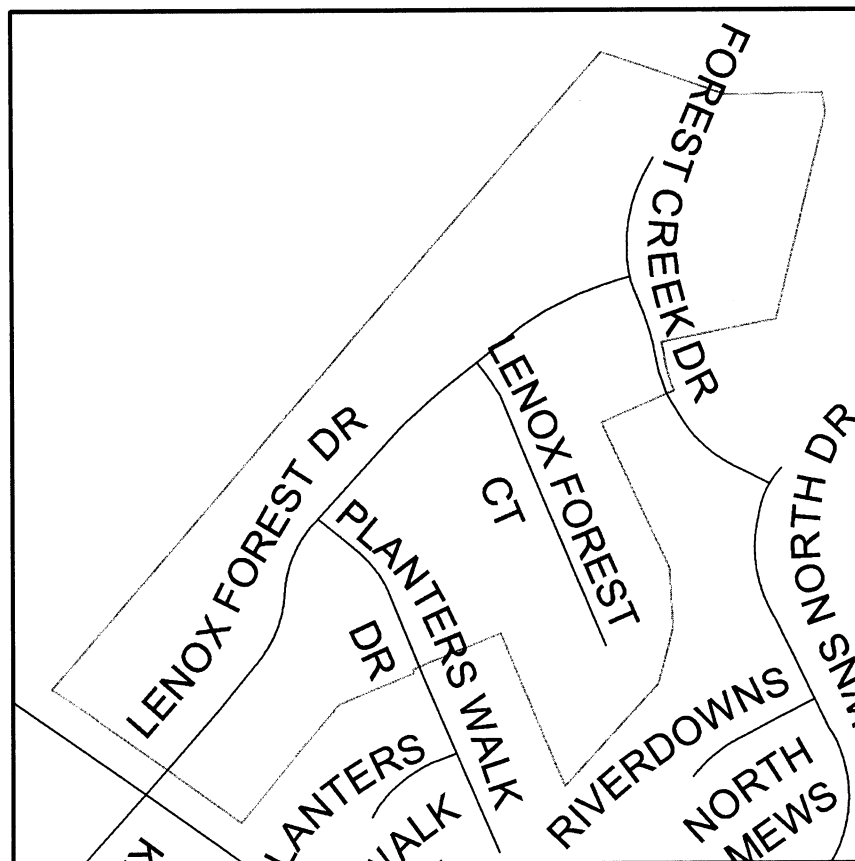
DISTRICT: MIDLOTHIAN

MEETING DATE: 23 June 2004

ROADS FOR CONSIDERATION:

FOREST CREEK DR
LENOX FOREST CT
LENOX FOREST DR
PLANTERS WALK DR

Vicinity Map: LENOX FOREST AT RIVERDOWNS, SEC. 1



000101

TO: Board of Supervisors

FROM: Department of Environmental Engineering

SUBJECT: State Road Acceptance - Polo Pl

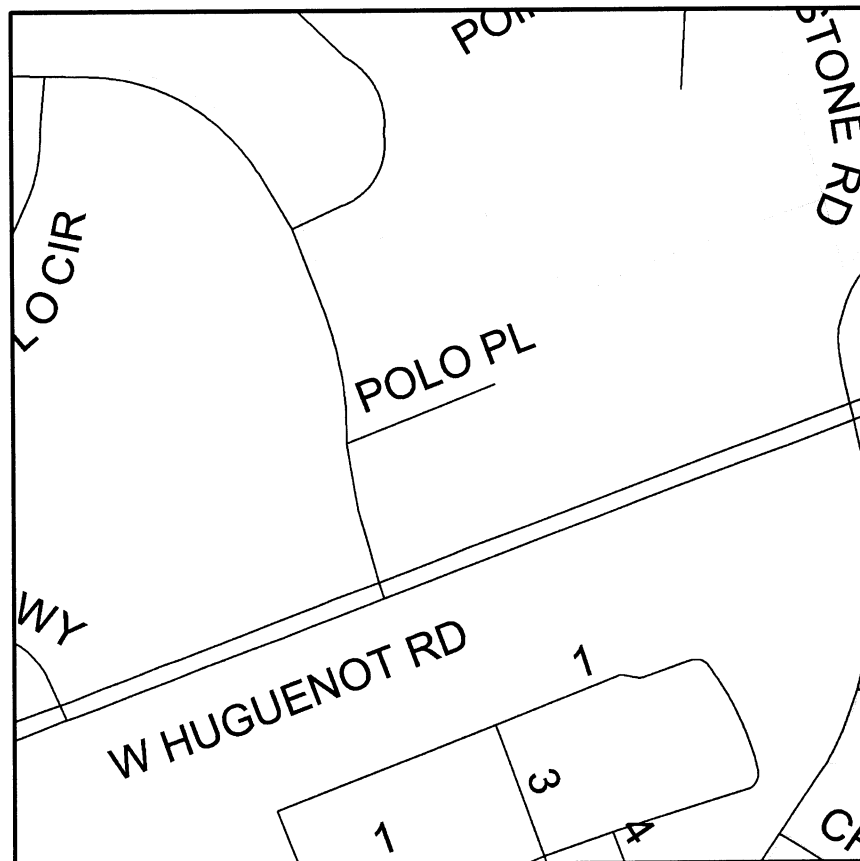
DISTRICT: MIDLOTHIAN

MEETING DATE: 23 June 2004

ROADS FOR CONSIDERATION:

POLO PL

Vicinity Map: Polo Pl



000102



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: June 23, 2004

Item Number: 8.B.10.a.

Subject: Set Date for a Public Hearing to Consider Amending an Existing Ordinance, which Created the "Englewood Sewer Assessment District"

County Administrator's Comments: *Recommend July 28 for public hearing*
SLR

County Administrator: _____

Board Action Requested: To set date of July 28, 2004 for a Public Hearing to consider amending an existing ordinance which created the "Englewood Sewer Assessment District" by adding language relating to the suspension of sewer assessment payments for property owners 65 years of age and older.

Summary of Information:

On October 22, 2003 the Board created the "Englewood Sewer Assessment District" consisting of twenty-four (24) lots, for which an assessment of \$10,642.29 per lot has been established. In response to concerns relative to the impact of the water and sewer assessment payments for senior citizens, on December 17, 2003 the Board approved an amendment to the County Charter. The Charter amendment was approved by the General Assembly, signed into law by Governor Warner, and will go into affect July 1, 2004. The amendment allows for deferral of payments within residential water and sewer assessment districts for property owners who are 65 years of age or older, and who occupy a dwelling on the property. At such time as the dwelling is no longer occupied by an owner who is 65 years of age or older, or is conveyed to another person, the suspensions of payments will cease and the entire assessment, including accrued interest, will be immediately due.

A draft of the amended ordinance indicating this change is attached.

Preparer: Craig S. Bryant

Title: Director of Utilities

Attachments:



Yes



No

#

000103

AN ORDINANCE TO AMEND AND RE-ENACT THE
ORDINANCE CREATING ENGLEWOOD
SPECIAL TAX OR ASSESSMENT SEWER DISTRICT
TO PROVIDE FOR SUSPENSION OF PAYMENT FOR
CERTAIN ELDERLY OWNERS

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That the Ordinance creating the Englewood Special Tax or Assessment Sewer District is amended and re-enacted as follows:

Section 1. Definitions.

In the context of this ordinance, the following words shall have the following meaning:

District: The Englewood Special Tax or Assessment Sewer District.

Map of the District: The map entitled "Proposed Englewood Sewer Assessment District" prepared by the County Department of Utilities, which map is on file with the director of utilities.

Section 2. Establishment of Englewood Special Tax or Assessment Sewer District.

Pursuant to Code of Virginia, Section 15.2-2404 et seq., there is hereby created in the county the Englewood Special Tax or Assessment Sewer District. The area of the district shall be and the same is hereby fixed within the boundaries depicted on the map of the district.

Section 3. Construction of certain sewer facilities in and adjacent to the district.

The utilities department shall cause to be constructed in and adjacent to the district the sewer line and appurtenant facilities depicted on the map of the district.

Section 4. Taxes or assessments upon owners of property located within the district.

The cost of construction of the sewer line and appurtenant facilities located within the district shall be apportioned among the owners of property abutting the sewer line. The amount of the tax or assessment charged to each such owner shall be one twenty-first (1/21) of the total cost of the improvements constructed within the district, including the legal, financial and other directly attributable costs incurred by the County. The one twenty-first (1/21) charge shall be assessed against each lot located in the district. The amount finally taxed or assessed against each landowner shall be reported to the treasurer as soon as practicable after completion of the sewer line and appurtenant facilities located within the district, and the treasurer shall enter the same as provided for other taxes.

Section 5. Installment payment of assessments.

Any person against whom an assessment provided for in this article has been finally made shall pay the full amount of the assessment provided for in this article, on the due date of the first tax bill on which such assessment is shown. In no event, however, shall any part of the assessment be due prior to the completion of the sewer line and appurtenant facilities constructed pursuant to this article. As an alternative to payment as provided above, a person against whom an assessment provided for in this article has been made may pay such assessment in forty (40) equal semiannual principal installments over a period of twenty (20) years, together with simple interest on the unpaid principal balance at an annual rate equal to the index of average yield on United States Treasury Securities adjusted to a constant maturity of one year as made available by the Federal Reserve Bank on the date when this ordinance was adopted. The first of such installments shall be due on and interest on the unpaid principal balance shall accrue from the date on which the full amount of the assessment would otherwise have been due as provided above.

Section 5.1. Suspension of payment of assessments.

Payment of assessments otherwise due under this ordinance shall be suspended for any owner who owned property on the day the ordinance creating the assessment district was adopted and who occupies a residential building located on the property and is 65 years of age or older. However when the property is no longer occupied by a person who is 65 years of age or older or is conveyed to another person or persons, irrespective of the age of the person or persons to whom the property is conveyed, the suspension of payments shall cease and the entire assessment, including accrued interest, shall be immediately due and payable. It shall be the obligation of any such owner to provide a driver's license or other photo identification establishing proof of age satisfactory to the director of utilities in order for such suspension to become effective.

Section 6.

This ordinance shall not be set out in the County Code but shall be kept on file in the office of the director of utilities.

- (2) **This ordinance shall be in effect immediately upon its adoption.**



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS**

Page 1 of 2

AGENDA

Meeting Date: June 23, 2004

Item Number: 8.B.10.b.

Subject:

Set a Public Hearing to Consider the Adoption of a Resolution Authorizing the County to Contract Debt and Issue General Obligation Bonds and Requesting the Circuit Court to Order an Election on the Questions of Contracting Debt and Issuing General Obligation Bonds to Finance Public Improvements

County Administrator's Comments: Recommend July 28 For public hearing

County Administrator: _____

Board Action Requested:

Staff requests the Board of Supervisors set July 28, 2004 for a public hearing to consider the adoption of a resolution authorizing the county to contract debt and issue general obligation bonds and requesting the Circuit Court to order an election on the questions of contracting debt and issuing general obligation bonds to finance public improvements

Summary of Information:

On April 14, 2004 the Board of Supervisors adopted the FY2005-2011 Capital Improvement Program. The Program totals \$708,889,900 over the seven-year period and includes projects proposed to be on a referendum in November 2004.

Formal action by the School Board is required to request the Board of Supervisors to request the Circuit Court of the county to order an election

Preparer: Rebecca T. Dickson

Title: Director, Budget & Management

Attachments:

Yes

No

000106

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

Meeting Date: March 10, 2004

on the question of authorizing the county to issue its general obligation bonds for public improvements.

On June 22, 2004 the School Board will consider the adoption of a resolution that requests the Board of Supervisors to request the Circuit Court of the county to order an election on the question of authorizing the county to issue its general obligation bonds in the maximum amount of \$231,225,700 for capital school improvement purposes.

The Board of Supervisors is requested to set a public hearing date of July 28, 2004 to consider the adoption of the attached resolution, which requests the Circuit Court of the county to order an election authorizing the county to contract debt and issue general obligation bonds for various school and general government public improvements, in the maximum amount of \$301,745,000, for the following purposes:

- \$231,225,700 for capital school improvement projects;
- \$15,257,100 for public safety improvement projects;
- \$35,587,500 for library improvement projects; and
- \$19,674,700 for parks and recreation improvement projects.

000107

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF CHESTERFIELD, VIRGINIA, DETERMINING THE ADVISABILITY FOR SUCH COUNTY TO CONTRACT DEBT AND ISSUE GENERAL OBLIGATION BONDS IN THE MAXIMUM AMOUNT OF THREE HUNDRED ONE MILLION SEVEN HUNDRED FORTY-FIVE THOUSAND DOLLARS (\$301,745,000) FOR THE PURPOSE OF FINANCING THE COSTS OF PUBLIC IMPROVEMENT PROJECTS IN SUCH COUNTY, SUCH BONDS TO BE ISSUED IN THE MAXIMUM AMOUNT OF TWO HUNDRED THIRTY-ONE MILLION TWO HUNDRED TWENTY-FIVE THOUSAND SEVEN HUNDRED DOLLARS (\$231,225,700) FOR CAPITAL SCHOOL IMPROVEMENT PROJECTS, IN THE MAXIMUM AMOUNT OF FIFTEEN MILLION TWO HUNDRED FIFTY-SEVEN THOUSAND ONE HUNDRED DOLLARS (\$15,257,100) FOR PUBLIC SAFETY IMPROVEMENT PROJECTS, IN THE MAXIMUM AMOUNT OF THIRTY-FIVE MILLION FIVE HUNDRED EIGHTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$35,587,500) FOR LIBRARY IMPROVEMENT PROJECTS AND IN THE MAXIMUM AMOUNT OF NINETEEN MILLION SIX HUNDRED SEVENTY-FOUR THOUSAND SEVEN HUNDRED DOLLARS (\$19,674,700) FOR PARK AND RECREATION IMPROVEMENT PROJECTS, AND REQUESTING THE CIRCUIT COURT OF SUCH COUNTY TO ORDER AN ELECTION ON THE QUESTIONS OF AUTHORIZING SUCH COUNTY TO CONTRACT SUCH DEBT AND ISSUE SUCH GENERAL OBLIGATION BONDS

WHEREAS, there has been presented to and filed with the official records of the Board of Supervisors (the "Board of Supervisors") of the County of Chesterfield, Virginia (the "County"), a certified copy of a resolution unanimously adopted by the School Board of the County at a regular meeting held on June 22, 2004, pursuant to Section 15.2-2640 of the Code of Virginia, 1950, requesting the Board of Supervisors to request the Circuit Court of the County to order an election on the question of authorizing the County to contract a debt and issue general obligation bonds of the County in a principal amount of not to exceed two hundred thirty-one million two hundred twenty-five thousand seven hundred dollars (\$231,225,700) for the purpose of financing the cost of capital school improvement projects in the County;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF CHESTERFIELD, VIRGINIA:

1. It is hereby determined that it is advisable for the County to contract debt and to issue general obligation bonds of the County in the maximum amount of three hundred one million seven hundred forty-five thousand dollars (\$301,745,000) under the provisions of Chapter 26 of Title 15.2 of the Code of Virginia, 1950 (the same being the Public Finance Act of 1991), for the purpose of financing the costs of public improvement projects in the County, such bonds to evidence such debt to be issued in the maximum amounts and for the purposes set forth below:

000108

(a) general obligation bonds in the maximum amount of two hundred thirty-one million two hundred twenty-five thousand seven hundred dollars (\$231,225,700) for capital school improvement projects, including acquisition of future school sites and such other capital school improvements as may be required by the actual educational needs in the County;

(b) general obligation bonds in the maximum amount of fifteen million two hundred fifty-seven thousand one hundred dollars (\$15,257,100) for public safety improvement projects in the County;

(c) general obligation bonds in the maximum amount thirty-five million five hundred eighty-seven thousand five hundred dollars (\$35,587,500) for library improvement projects in the County; and

(d) general obligation bonds in the maximum amount of nineteen million six hundred seventy-four thousand seven hundred dollars (\$19,674,700) for park and recreation improvement projects in the County.

2. The full faith and credit of the County shall be pledged to the payment of the principal of and premium, if any, and interest on all of such bonds, and for so long as any of such bonds are outstanding and unpaid, the Board of Supervisors shall be authorized and required to levy and collect annually, at the same time and in the same manner as other taxes of the County are assessed, levied and collected, a tax upon all taxable property within the County, over and above all other taxes, authorized or limited by law and without limitation as to rate or amount, sufficient to pay when due the principal of and premium, if any, and interest on such bonds to the extent other funds of the County are not lawfully available and appropriated for such purpose.

3. The Circuit Court of the County, or any judge thereof, is hereby requested to order an election to be held in the County on November 2, 2004 pursuant to Sections 15.2-2610 and 15.2-2611 of the Code of Virginia, 1950, on the questions of whether the County shall be authorized to contract the debts and issue general obligation bonds of the County in the maximum amounts and for the purposes set forth in Paragraph 1. The Circuit Court of the County, or any judge thereof, is hereby further requested to enter such order on or before September 3, 2004, to permit such election to be held on November 2, 2004, in accordance with the provisions of Section 24.2-682 of the Code of Virginia, 1950.

4. The Clerk of the Board of Supervisors shall file a certified copy of this resolution with the Circuit Court of the County, or any judge thereof.

5. All resolutions and proceedings in conflict herewith are, to the extent of such conflict, hereby repealed.

6. This resolution shall take effect upon its adoption.



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: June 23, 2004

Item Number: 8.B.10.c.

Subject:

Set a Public Hearing to Consider an Amendment to the Central Area Plan Relating to the Chesterfield County Government Center and Surrounding Area of the County

County Administrator's Comments: *Recommend July 28 For public hearing*

County Administrator: *SKR*

Board Action Requested:

Set July 28, 2004, for a public hearing to consider adoption of the amendment to the Central Area Plan.

Summary of Information:

At a public hearing on April 20, 2004, the Planning Commission recommended approval of the amendment to the Central Area Plan Relating to the Chesterfield County Government Center and surrounding area of the county.

- The amendment to the Central Area Plan is complementary to the Chesterfield County Government Center Master Plan, and is designed to help implement the Master Plan's goals and recommendations. Specifically, staff and the Planning Commission recommends that the geography of the Master Plan be incorporated into the Central Area Plan, with recommendations for suggested land uses.

Preparer: Kirkland A. Turner

Title: Director of Planning

C:\DATA\AGENDA\2004\UNE\JUNE23\CENTRALAREAPLAN\gok

Attachments:



Yes



No

000110

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

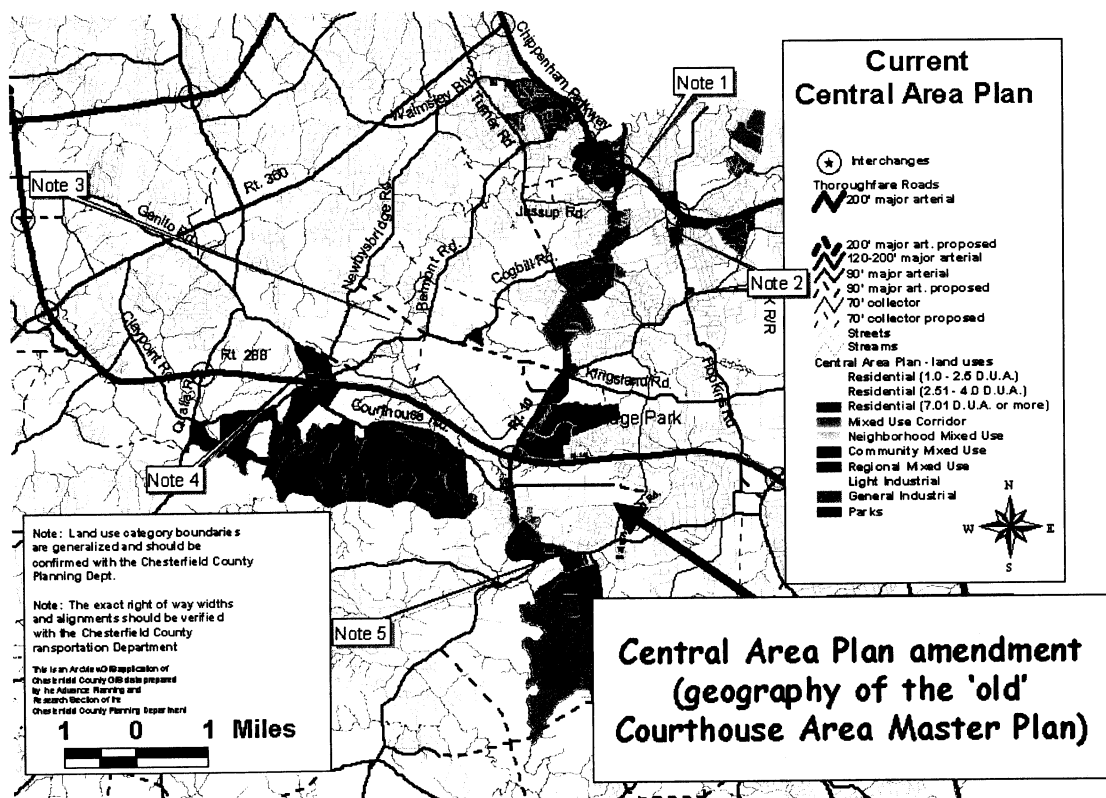
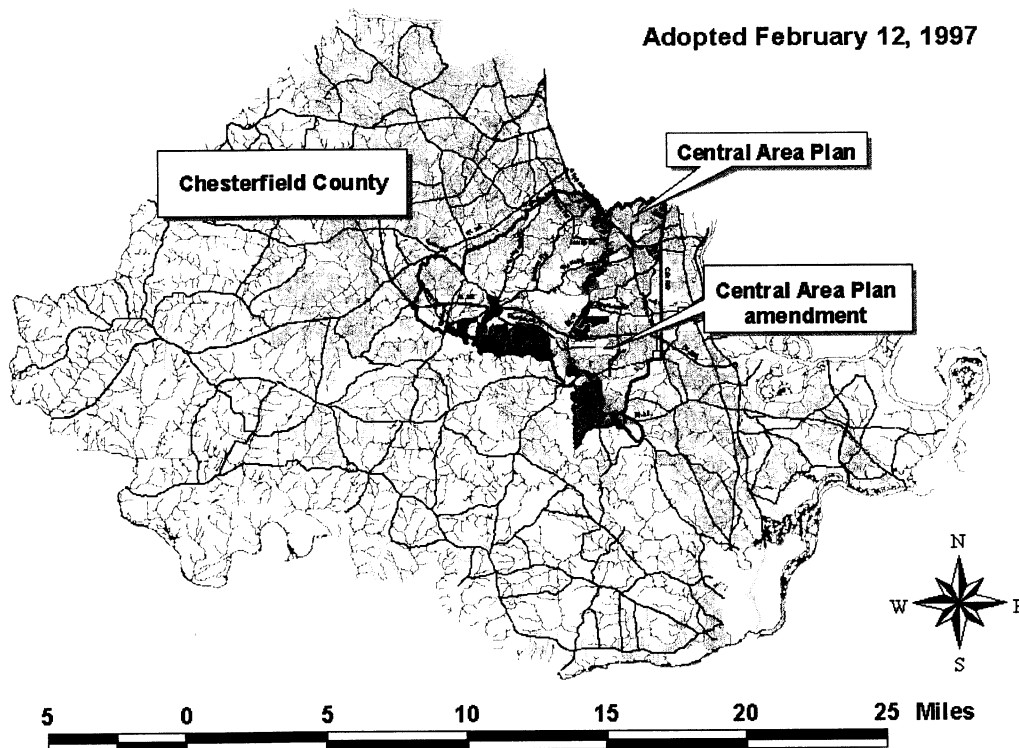
- The Plan amendment suggests office-type and government uses for most of the Plan geography.
- The Plan amendment suggests private development north of Courthouse Road Extended, in the vicinity of the intersection of Rt. 10 and Rt. 288.
- The Plan amendment suggests the continuation of residential uses north of Courthouse Road Extended, east of Bird High School.
- An evaluation of the extension of Courthouse Road to Salem Church Road suggests that sufficient county-owned land is available without having to use an existing private road (Osterbind Lane), so long as residential use is deemed appropriate in this area.
- Amendments to the text of the Central Area Plan are recommended to update the text and format of the Plan.

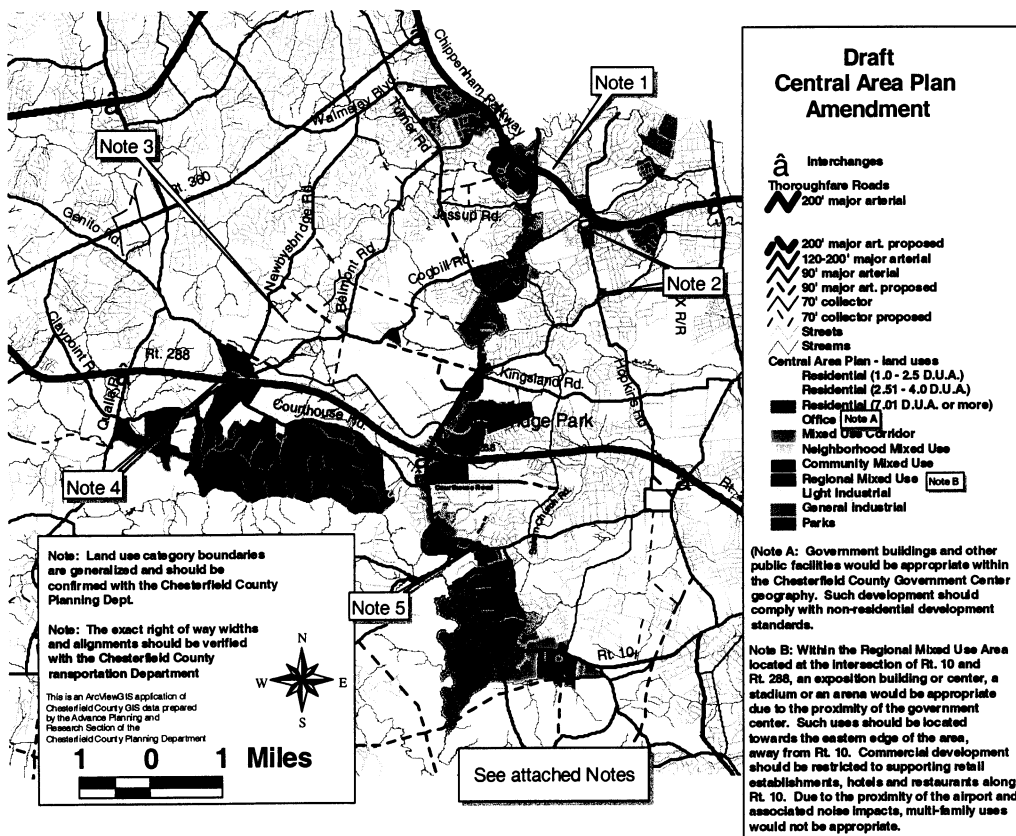
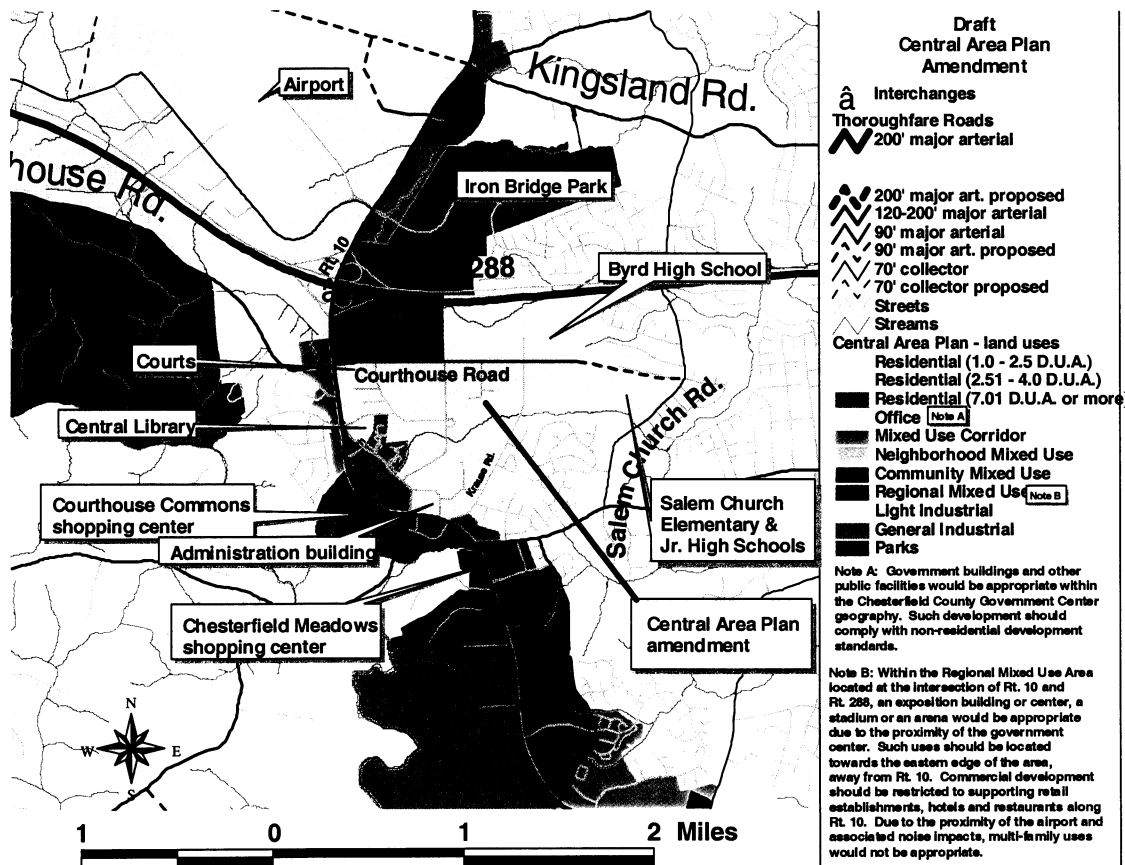
Attached is a summary of information regarding this Plan amendment, together with copies of the draft Plan recommended by staff and the Planning Commission.

000111

Central Area Plan

Adopted February 12, 1997





CENTRAL AREA PLAN

**Adopted By The Chesterfield County
Board of Supervisors
February 12, 1997**

**Amended By The Chesterfield County
Board of Supervisors
January 10, 2001**

**This amendment moved the Southern
Jefferson Davis Highway corridor to the
Southern Jefferson Davis Corridor Plan,
adopted January 10, 2001.**

**Amended By The Chesterfield County
Board of Supervisors
(date of amendment)**

**This amendment added the geography of the
Government Center Master Plan to the Central
Area Plan. The Government Center Master
Plan is now a separate document that
addresses details for development within the
Government Center geography. Therefore, the
Chesterfield County Government Center
Master Plan is not a part of the Central Area
Plan.**

EXECUTIVE SUMMARY

For many years Central Chesterfield County has built on a multitude of strengths: diverse, healthy neighborhoods; long established local business; proximity to many of the region's major employers; and the developing commercial centers located near the County's Airport and Government Center Complex. While areas closer to Midlothian Turnpike and Route 360 have grown at a faster rate, the Central Area is established and familiar, and in many ways the heart of Chesterfield County. Its strength is derived from the uniqueness created by the integration of the various parts: living and working. The Central Area Plan builds on these unique strengths to help effectively guide the area's future.

Important issues addressed in the Central Area planning effort include:

- How the forces of change are affecting established neighborhoods and businesses in the Central Area, and what the demand will be for new housing, commercial and industrial uses.
- Recognizing the importance of the Chesterfield County Airport to the County's future economic vitality.
- The protection of existing and proposed industrial areas from conflicting land use development.
- The recognition of neighborhoods as the building blocks of the County and its quality of life.
- Understanding that area businesses and neighborhoods need to work together to address community concerns.
- Providing adequate public facilities to address the impact of development.

Key recommendations of the plan include:

- Expanding the recommended complementary light industrial land uses around the **Chesterfield County Airport**.

(Note: A summary of the citizen participation process, existing conditions and issues and the Community Initiative for the Central Area Plan is available from the Chesterfield County Planning Department.)

INTRODUCTION

The Central Area (as shown on Map A) fits the image of a livable community; a community located in a well situated and pleasant geography, with healthy neighborhoods, businesses, and industry that are strong contributors to the County's tax base. A community of diverse neighborhoods, the Central Area offers opportunities that fill a variety of housing needs: from mature, settled neighborhoods of substantial homes to neighborhoods of starter homes as well as a variety of multifamily dwelling units that may be the choice of a recent college graduate or a senior citizen. Employment opportunities existing in the Central Area include the developing office center near the Courthouse and a light industrial/office park area developing around the County's airport.

As in any community, there are some dilemmas. In some instances, the Central Area's development pattern has resulted in incompatibility between land uses. Few neighborhoods reap the benefits of having established neighborhood organizations to open the lines of communication. Predicaments facing maturing neighborhoods, such as aging housing stock in need of rehabilitation and vacant commercial establishments, may be on the horizon not just for the Central Area, but for Chesterfield County as a whole.

All in all, however, the Central Area fits the image of a livable community -- a community of varied neighborhoods and profitable businesses. These assets of livability and economic vitality must be preserved and strengthened as we plan for the future. Striving to do just that, the plan should be used by the public officials and citizens who will shape the area's future.

How This Plan Works

The *Central Area Plan* should be used as a general guide for decisions, both public and private, affecting the future of the Central Area. In Chesterfield County, plans for physical growth are adopted by the Board of Supervisors and become part of the "Plan For Chesterfield," the County's comprehensive plan.

A Plan For Action

The following major components are found in the *Central Area Plan*:

- **Goals:** These goals are general statements about what is desirable for the future - what the plan attempts to accomplish.
- **Recommendations:** These are statements on ways to reach goals, and what general actions should be taken to achieve them.
- **The Land Use Plan:** This plan will be used as a general guide for future land use decisions.

000115

A PLAN FOR ACTION

I. Goals

The theme of the *Central Area Plan* is a belief in the value of a positive image for the community that emphasizes livability and economic vitality. As the Central Area moves toward the twenty-first century, there needs to be a clear vision of the future. The goals listed below establish a framework for the plan's more specific recommendations. These goals, like the recommendations that follow, are not in order of rank or priority.

- **Vitality:** Maintain the long term vitality and attractiveness of the Central Area as a quality community offering opportunities for residential and business/industrial uses. The land use pattern for a healthy, livable Central Area should reflect the following:
 - a. Maintenance of stable, attractive, and diverse neighborhoods that are the building blocks of the residential land use pattern,
 - b. The provision for high quality employment opportunities through new businesses and growth of existing ones,
 - c. Maintenance and improvement of the public services and facilities which provide a framework for the land use pattern -- such as roads, water and sewer lines and educational amenities.
- **Character:** The preservation of the intrinsic strengths and character of the Central Area, including a strong base of single family housing, is of great importance. When planning at the neighborhood level, we must keep in mind the importance of protecting the character, stability, and integrity of existing housing, while meeting demands for new housing.
 - a. Neighborhoods are the building blocks of the County and its quality of life. As the County grows, its livability is increasingly determined by the character of its neighborhoods. The conditions and character of the Central Area neighborhoods vary greatly. We must understand these differences. The needs of an older "in town" neighborhood are different from the needs of a new neighborhood located on the rural fringe.
- **New Development:** Accommodate new development in the western part of the Central Area, recognizing distinct character

differences between developed and undeveloped

- oped land. This is of primary importance to the future health and vitality of Chesterfield County. This accommodation considers the importance of:
 - a. The preservation of established neighborhood character in developed areas,
 - b. The recognition of the County Airport as an anchor to Chesterfield County's economy, by promoting synergistic relationships between the airport and future industrial activity.

II. Recommendations

The land use plan for the Central Area seeks to provide a high quality residential location over the long term, together with the development of a quality employment center. The need is to conserve the established residential areas, while accommodating the area's strong potential for economic development. Development in the Central Area has taken the form of single family subdivisions, scattered multifamily complexes, small to medium sized shopping areas often along highway corridors, large employment centers, industrial parks, and a once in a lifetime economic development opportunity of an airport. Although this development pattern has produced a livable community, the shifting pattern of growth has contributed to disinvestment in some neighborhoods, created conflicting land uses, and resulted in many vacant areas "leapfrogged" by development.

Land Use Recommendations

1. **Balance:** Recognize in land use decisions the vital importance of balance between neighborhoods and employment opportunities. Accommodate growth in response to the Central Area's unique opportunities.
2. **Accommodation:** Provide for the accommodation of future residential development in balance with other land uses.
3. **Environment:** Promote environmental quality and community integrity through continued good site plan design, adequate transition, and buffering.
4. **Pattern:** Protect the validity of a variety of land uses by providing adequate separation and buffering.
5. **Public Facilities and Services:** Provide adequate public facilities to address the

impact of development. Develop needed community facilities and services in a cost effective manner by following the County's *Public Facilities Plan*.

6. **Development Around the Chesterfield County Government Center:** To insure visual compatibility and appropriately reflect the historic significance of the Courthouse area, future non-residential development in the area around the Chesterfield County Government Center should incorporate the same Federalist and Colonial architectural design features as other non-residential developments in the area, such as the Chesterfield Meadows Shopping Center. (See Map H)

Economic Growth and Business Development Recommendations

1. **Chesterfield County Airport:** Recognize the importance of the airport to the County's future economic vitality and protect this important asset from land uses that would be in conflict with activities inherent to airport operations.
2. **Route 288 Corridor:** Focus on the regional transportation and industrial location advantages of the Route 288 corridor. Actively market the light industrial and regional mixed use potential of designated areas along the corridor.
3. **Government Center:** Encourage compatible commercial development in areas adjacent to the Chesterfield County Government Center Complex.
4. **Industrial Development:** Protect existing and proposed industrial areas from conflicting residential land use development.
5. **Business Location:** Provide convenient business locations that reduce traffic and travel time.
6. **Community Involvement:** Encourage business community involvement in the Community Initiative (see following section).

Public Facilities and Transportation Recommendations

1. **Capital Improvement Program:** Continue to use the County's *Public Facilities Plan* as the primary guide for initiating future public facilities projects in the County's Capital Improvement Program.
2. **Thoroughfare Plan:** Encourage development proposals to conform to the Thoroughfare Plan with respect to the construction of road

improvements and the dedication of right-of-way, including the future extension of Courthouse Road from its terminus adjacent to L. C. Byrd High School eastward to Salem Church Road.

3. **Government Center Road Network:** Construct sections of the ultimate Government Center Road Network in conjunction with the construction of any additional development within the Government Center Complex.

Historic Resource Recommendation

1. **Adaptive Reuse of Historic Properties For Non-residential Uses:** Provide support through land use decisions on historically significant properties located in agricultural and residential zoning districts, provided that the use does not significantly impact adjacent residential areas, or detract from the agricultural or residential character of the area.

III. The Land Use Plan

The Land Use Plan seeks to enhance the special character of the Central Area and to help guide the changes in the development pattern that may take place over the next twenty years. The plan strives to:

- Provide for the livability and the economic **vitality** of the Central Area in the future.
- Preserve and accommodate growth in response to the Central Area's unique opportunities by working toward a **balanced** distribution of employment and housing options.
- Recognize the importance of the **Airport** to the County's future economic vitality and to protect this important asset from land uses that would be in conflict with activities inherent to airport operations.
- Protect existing and proposed **industrial** areas from conflicting residential land use development.

The Land Use Plan illustrates the recommended future development pattern for the Central Area. It provides more than an adequate supply of additional acreage for various land uses relative to market demand projections. This map (Map F) will be useful as a guide for all future decisions, including rezonings and other land use decisions. Key features of recommended uses are presented in Chart 3.

IV. Other Considerations

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Specific Area Considerations

- The accommodation of new development in the western part of the Central Area is of primary importance to the future health and vitality of Chesterfield County. Important considerations include preserving established neighborhood character, building quality neighborhoods for the future, and recognizing the County Airport as an anchor to Chesterfield County's economy through promoting synergistic relationships with future industrial activity.
- The character of the northern portion of the planning area is predominantly residential with some mixed use commercial and office development. The plan recommends this land use pattern continue. Challenges include an aging housing stock, a decline in the number of commercial services in the area, and the effective integration of future construction on undeveloped land adjacent to existing developed areas.
- The character of the area west of Route 10 includes residential development as well as major industrial, office and commercial employment centers, an irreplaceable asset in the Chesterfield County Airport, and, significant vacant land available for future development. Challenges to the future development of this area include rapid growth and providing an effective transition between residential and non-residential land uses. The land uses recommended here will 1) set aside larger area for future industrial use to optimize economic development opportunities associated with the Chesterfield County Airport, 2) preserve and protect stable neighborhoods and 3) provide effective separation and buffering of commercial, office, and industrial uses from residential areas.
- Typically, the southern portion of the Central Area is characterized by employment centers, neighborhoods, and commercial goods and services. Future land use recommendations support continued development in the form of residential, office and community commercial uses.
- The preservation of the intrinsic strengths and character of the Central Area, including a strong base of single family housing is of great importance. At the same time this preservation must go hand in hand with meeting the demand for development on vacant land and the need for revitalization of some older areas.

Chart 3 LAND USE CATEGORIES

The plan recommends the following land use categories as illustrated on Map F.

NEIGHBORHOOD CONVENIENCE CENTER: (Not shown on Land Use Plan) Neighborhood oriented uses (C-1 and O-1 Districts) such as limited retail, personal services, and offices. Limited retail, personal service, and office centers should be provided within planned residential areas to attract customers from immediate neighborhoods only. Preferably, they should be planned in conjunction with new residential projects. These centers should be sited on one corner of an intersection of two collector streets, or where a collector street intersects with an arterial road.

NEIGHBORHOOD MIXED USE: Neighborhood oriented retail development (C-2 District) including small shopping centers and other commercial and office services.

OFFICE Professional and administrative offices. Supporting retail and service uses would be appropriate when part of a mixed use center of aggregated acreage under a unified plan of development and when located interior to the project, and when the project is located with access to intersecting transportation corridors. (O-2)

MIXED USE CORRIDOR: Residential developments of various densities, as well as professional, business, industrial, and administrative offices with integrated supporting uses. Such uses should extend approximately 1,000 feet from the major arterial road; however, existing natural or built boundaries (such as bodies of water, floodplains, rights-of-way, access locations or utility corridors) are preferable to an arbitrary depth, such as 1,000 feet.

- *Note:* Nursery schools, child or adult day care centers, kindergartens, hospitals, and other places of assembly are not appropriate on Route 10 (Ironbridge Road) between Kingsland Road and Route 288 due to the proximity to the Runway Approach Surface at the Chesterfield County Airport.
- *Note:* Based on findings contained in the *Market Assessment for the Central Area*, new multi-family residential development is generally not appropriate north of Route 288.

COMMUNITY MIXED USE: Community-scale development (C-3 District) including shopping centers, other commercial and office uses, and integrated townhouse or multi-family residential uses.

- *Note:* Based on findings contained in the *Market Assessment for the Central Area*, new multi-family residential development is generally not appropriate north of Route 288.

REGIONAL MIXED USE: A mixture of integrated office, shopping center, light industrial parks, and/or higher density residential uses. Where appropriate, this area could include community scale mixed uses

such as shopping centers, other commercial uses or offices.

- *Note:* Based on findings contained in the *Market Assessment for the Central Area*, new multi-family residential development is generally not appropriate north of Route 288.

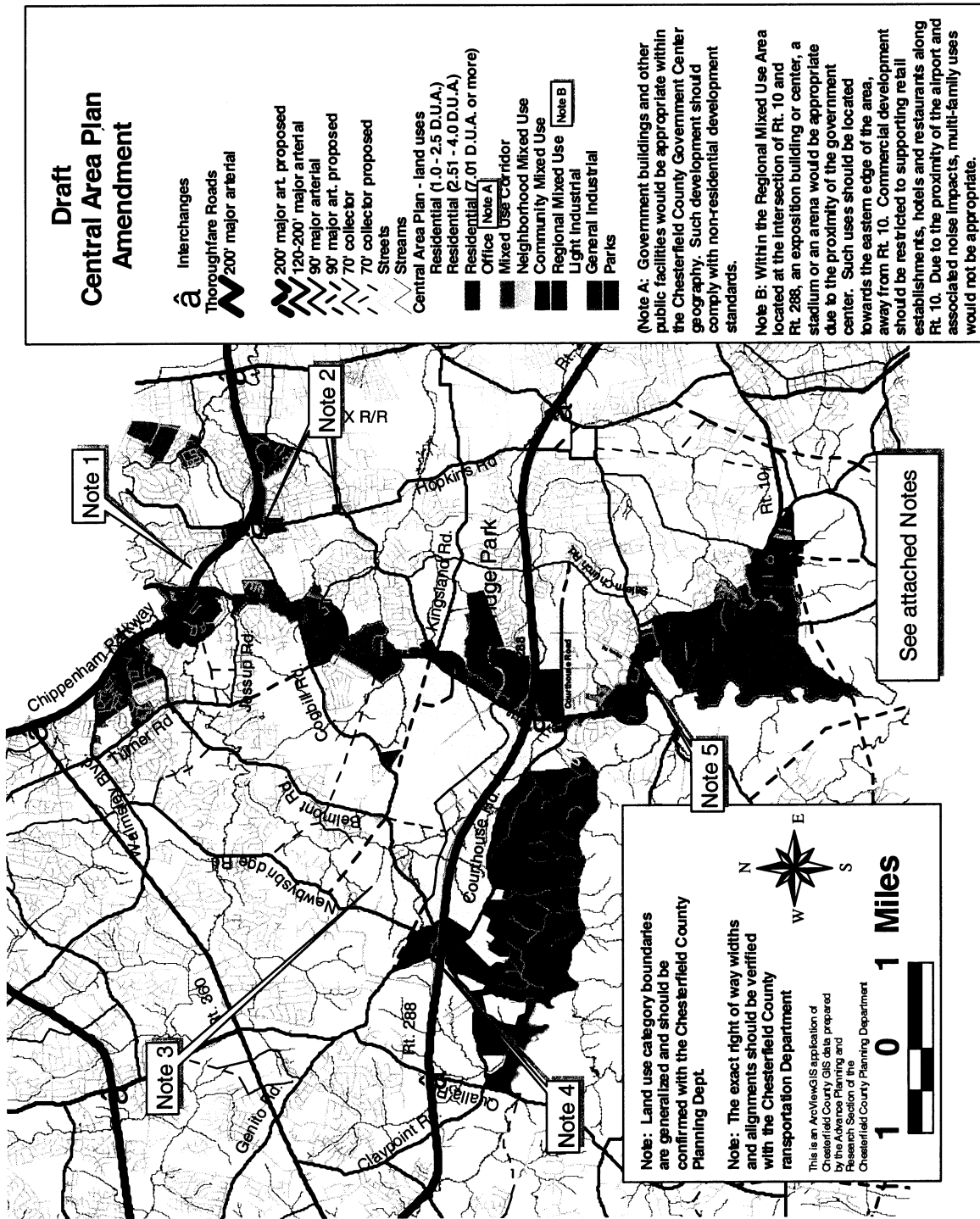
LIGHT INDUSTRIAL: Light industrial uses (I-1 District uses and some I-2 District uses) that are dependent upon raw materials first processed elsewhere. Limited retail and service uses that are accessory to industrial uses are also permitted when part of an integrated industrial development.

GENERAL INDUSTRIAL: Industrial uses (I-1 and I-2 District uses and some I-3 District uses) may be appropriate if they have the same general character as I-1 and I-2 uses). Limited retail and service uses that are accessory to industrial uses are also permitted when part of an integrated industrial development.

General Notes:

- Within all land use categories, zoning proposals should be analyzed to determine specific impacts of individual projects on existing and future development.
- Transportation impact and required road improvements for specific development proposals should be evaluated through the zoning and plan review processes.
- Appropriate land use transitions should be provided between existing and future residential development and higher intensity uses.
- In some cases, future land use classifications are appropriate if parcels are part of a larger scale development plan that provides for an aggregation of parcels, thereby allowing sufficient land to provide appropriate buffers and land use transitions.
- The rural forested character of Newbys Bridge Road should be preserved. Further, any non-residential uses along Newbys Bridge Road, north of Whitepine Road Extended, should be oriented toward the interior of projects having an internal road network.
- Light industrial uses adjacent to existing or future residential areas should be designed in a campus style setting to be achieved through preservation of forested character, landscaping and buildings with architectural styles and materials of the quality found in office/industrial parks such as Moorefield or the Arboretum.

000119



Refer to the Land Use Categories description contained in **Chart 3**.

Sites for Neighborhood Convenience Centers are not shown on this map.

Airport Impact Area: Due to the impact of daily airport operations on residential development, future residential developments in the area most impacted by the Chesterfield County Airport, currently designated on the Zoning Map for Chesterfield County as the outer Airport Height Obstruction limit, should have mechanisms to notify future home owners about the location and effect of the Airport before the purchase of their homes.

- ① With appropriate access, transportation improvements, and transition to the adjacent single family neighborhood, mixed use corridor uses may be appropriate in this location.
- ② Due to the proximity of the two elementary schools and the limited size of the parcels, uses will be limited in the mixed use corridor along Hopkins Road. Office and residential uses only, with no supporting retail uses, are appropriate in this area due to these site limitations.
- ③ Cogbill Road Extended shall not be connected to Newbys Bridge Road, until Newbys Bridge Road is reconstructed as a two (2) lane roadway to VDOT Urban Minor Arterial Standards from Walmsley Boulevard to its intersection with Cogbill Road Extended.
- ④ The development of this regional mixed use node is dependent upon transportation improvements, to include among other things, the east-west arterial as shown on the Thoroughfare Plan.
- ⑤ Certain neighborhood commercial uses may be appropriate at this quadrant with appropriate access, architectural design compatible with the provisions of the Plan and design controls which provide protection of and compatibility with the adjacent residential neighborhood.



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Meeting Date: June 23, 2004

Item Number: 8.B.10.d.

Subject:

Set Public Hearing to Consider an Amendment to the Zoning Ordinance Relating to Lighting

County Administrator's Comments: *Recommend July 28 for public hearing*

County Administrator: _____ *LTB*

Board Action Requested:

Set a public hearing for July 28, 2004 to consider an amendment to the Zoning ordinance relating to lighting.

Summary of Information:

The Planning Commission has recommended an amendment to the Zoning Ordinance to address lighting standards in Agricultural and Residential districts. The amendment would move the lighting standards from the O,C and I Districts to Countywide standards thereby making them applicable to all Zoning districts, except for single family residential uses. The draft Ordinance also exempts pedestrian style lighting from the requirement that the light source be shielded from direct view.

Preparer: _____ Kirkland A. Turner

Title: Director of Planning
C:\DATA\AGENDA\2004\JUNE23\SETPHRE\LIGHTING\ROGERS

Attachments:



Yes



No

000122

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY
OF CHESTERFIELD, 1997, AS AMENDED, BY ADDING SECTION 19-508.3 AND DELETING SECTION
19-573 RELATING TO EXTERIOR LIGHTING

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) *That Section 19-508.3 of the Code of the County of Chesterfield, 1997, as amended, is added and Section 19-573 is deleted to read as follows:*

Article VII. Development Standards Manual

o o o

Division 1. Development Standards

o o o

Subdivision 1. General Provisions – Countywide

o o o

Sec. 19-508.3. Exterior lighting.

With the exception of single family residential uses, all exterior lights shall be arranged and installed so that the direct or reflected illumination does not exceed five-tenths foot candle above background, measured at the lot line of any adjoining A, R, R-TH, MH or R-MF district. Except in village districts where light standards may be required to be compatible with unique architectural styles or developments having ornamental pedestrian style lighting, lighting standards shall be of a directional type capable of shielding the light source from direct view from any adjoining A, R, R-TH, MH or R-MF district or public right-of-way.

o o o

Division 3. Development Requirements—Office, Commercial And Industrial

o o o

Subdivision 1. General Provisions, Development Requirements – Countywide

o o o

Sec. 19-573. Exterior lighting.

~~All exterior lights shall be arranged and installed so that the direct or reflected illumination does not exceed five-tenths footcandle above background, measured at the lot line of any adjoining A, R, R-TH, MH or R-MF district. Except in village districts where light standards may be required to be compatible with unique architectural styles, lighting standards shall be of a directional type capable of shielding the light source from direct view from any adjoining A, R, R-TH, MH or R-MF district or public right of way.~~

(2) *That this ordinance shall become effective immediately upon adoption.*



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS**

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Meeting Date: June 23, 2004

Item Number: 8.B.10.e.

Subject:

Set Public Hearing to Consider Amending the County's Emergency Response Cost Recovery Ordinance to Allow the County to Recover Additional Costs and to Permit Restitution

County Administrator's Comments: *Recommend July 28 for public hearing*

County Administrator: _____ *[Signature]*

Board Action Requested:

The Board is requested to hold a public hearing on July 28, 2004 to consider revising the county's emergency response cost recovery ordinance to: (1) increase the emergency response amount from \$100 to \$250, and (2) to permit the option of recovery of the Fire Department's expenses through court-ordered restitution.

Summary of Information:

Pursuant to state law, the county has adopted an ordinance allowing the county to recover its expenses incurred for emergency responses to several traffic offenses: the operation of a motor vehicle while impaired (DUI), reckless driving, driving without a license and leaving the scene of an accident. Under our current ordinance, the county can recover either a flat fee of \$100 or a minute-by-minute accounting of actual costs not to exceed \$1,000.00. The overwhelming majority of the offenses have been billed at the flat rate amount to recover Police Department expenses; approximately 3% of the invoices have been for minute-by-minute accountings of Fire Department costs.

When originally adopted in 2002, the ordinance provided for cost recovery for only DUI incidents, but it was amended in August 2003 to include certain non-

Preparer: Steven L. Micas

Title: County Attorney

2705 (00) : 65588.1 (65545.1)

Attachments:



Yes



No

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000124

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DUI traffic offenses. The addition of the new offenses has greatly increased the number of invoices from approximately 100 per month to 400 per month. At this time, payments for the newer charges reflect only voluntary payments because the collection process is not yet complete for those charges. Nonetheless, to date, the County has sent out 3800 invoices and recovered \$124,602.

Effective July 1, 2004, amendments to the state code changed the flat fee amount from \$100 to \$250. This increase in the amount will allow the County to recover for its emergency response costs and also to address the administrative, court and staff costs that have been incurred in collection efforts under the ordinance.

The Fire Department would like to reserve the option of the court-ordered restitution as an alternative collection method.

The Police and Fire Departments support the adoption of this ordinance.

Staff requests that the revised ordinance become effective as of August 1, 2004.

2705(25)(00):65588.1

000125

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY
OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING
AND RE-ENACTING SECTION 13-71 RELATING TO
REIMBURSEMENT OF EXPENSES

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That Section 13-71 of the Code of the County of Chesterfield, 1997, as amended, is amended and re-enacted to read as follows:

Sec. 13-71. Reimbursement of expenses incurred in responding to DUI and other traffic a incidents.

(a) A person convicted of violating any of the following provisions shall be liable in a separate civil action for reasonable expenses incurred by the county or by any volunteer rescue squad, or both, when providing an appropriate emergency response to any accident or incident related to such violation. Personal liability under this section for reasonable expenses of an appropriate emergency response shall not exceed \$1,000.00 in the aggregate for a particular accident or incident occurring in the county:

- (1) The provisions of Code of Virginia §§ 18.2-51.4, 18.2-266 or 29.1-738, as amended, or a similar county ordinance, when such operation of a motor vehicle, engine, train or watercraft while so impaired is the proximate cause of the accident or incident;
- (2) The provisions of Code of Virginia, tit. 46.2, ch. 8, art. 7 (§§ 46.2-852 et seq.), as amended, relating to reckless driving, when such reckless driving is the proximate cause of the accident or incident;
- (3) The provisions of Code of Virginia, tit. 46.2, ch. 3, art. 1 (§§ 46.2-300 et seq.), as amended, relating to driving without a license or driving with a suspended or revoked license; and,
- (4) The provisions of Code of Virginia, § 46.2-894, as amended, relating to improperly leaving the scene of an accident.

(b) In determining "reasonable expenses", the county may bill a flat fee of \$100.00 or a minute-by-minute accounting of the actual costs incurred. As used in this section "appropriate emergency response" includes all costs of providing law-enforcement, fire-fighting, rescue, and emergency medical services.

(c) The fire and police departments shall compile a report of the reasonable expenses of the appropriate emergency response for each accident or incident and forward that information to the county attorney's office or the accounting department for appropriate proceedings.

(2) That this ordinance shall become effective August 1, 2004.



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Meeting Date: June 23, 2004

Item Number: 8.B.10.f.

Subject:

Set Public Hearing Date to Consider Acceptance and Appropriation of a Grant Awarded by the Department of Criminal Justice Services (DCJS) for the Law Enforcement Terrorism Prevention Program Grant

County Administrator's Comments: *Recommend July 28 for public hearing*

County Administrator: *JSR*

Board Action Requested:

Staff requests the Board of Supervisors to set July 28, 2004 for a public hearing to consider acceptance and appropriation in FY2005 of a grant award from the Department of Criminal Justice Services, Law Enforcement Terrorism Prevention Program in the amount of \$503,817 and authorize the County Administrator to execute all documents.

Summary of Information:

The Chesterfield County Police Department has been awarded a grant from the Department of Criminal Justice Services, Law Enforcement Terrorism Prevention Program Grant. The funding will be used to purchase equipment to enhance the police department's homeland security and terrorism prevention efforts.

FY2005

| | |
|--------------|------------------|
| Federal | \$503,817 |
| Local | \$ 0 |
| Total | \$503,817 |

Preparer: Colonel Carl R. Baker

Title: Chief of Police

Attachments:



Yes



No

#000127



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: June 23, 2004

Budget and Management Comments:

The Police Department is requesting the Board set a public hearing to accept and appropriate funds for a Department of Criminal Justice Services (DCJS) Law Enforcement and Terrorism Prevention grant. The grant amount is \$503,817 and requires no local cash match. The funds will be used to purchase equipment not originally expected to be spent for the purpose of enhancing the police department's homeland security and terrorism prevention efforts.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000128



**CHESTERFIELD COUNTY
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Meeting Date: June 23, 2004

Item Number: 8.B.10.g.

Subject:

Set Public Hearing to Amend Sections 17-2, 17-46, 19-181 and 19-185 of the Code of the County of Chesterfield, 1997, as Amended

County Administrator's Comments: *Recommend July 28 for public hearing*

County Administrator: *[Signature]*

Board Action Requested:

Board of Supervisors set July 28, 2004 for a public hearing to consider amendments to the Code of the County of Chesterfield.

Summary of Information:

The Planning Commission held their public hearing on the attached zoning and subdivision ordinance amendments on June 15, 2004. One person spoke in favor of the amendments to sections 17-2 and 17-46 as recommended by the Planning Commission. One person spoke in opposition to the amendments to sections 19-181 and 19-185 as recommended by the Commission. That person was generally in favor of these amendments, but requested a modification that the Commission did not include in their recommendation. Following their public hearing, the Planning Commission unanimously recommended approval of the enclosed zoning and subdivision ordinance amendments.

The Planning Department has a continuing project to update the zoning and subdivision ordinances in response to the needs of our citizens, the development community and code enforcement activities. This is the second in an ongoing series of such amendments.

Preparer: Kirkland A. Turner

Title: Director of Planning

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Attachments:



Yes



No

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000129

**CHESTERFIELD COUNTY
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Family divisions (sections 17-2 and 17-46)

This amendment is designed to improve standards for family divisions by:

- Minimizing circumvention of the subdivision ordinance
- Protecting citizens who buy illegally created parcels
- Permitting family exemptions to the subdivision process similar to other jurisdictions

The amendment, as recommended by the Planning Commission will establish:

- A requirement to own property for two (2) years before division to immediate family members for land acquired after January 1, 2005
- A requirement for the second family member to own the property for five (5) years before transfer to a non-family member
- A procedure for seeking exceptions to these ownership periods for hardship
- A presumption of intent to circumvent the ordinance if ownership periods are violated
- Penalties for violation of ownership standards
- Requirements for notes on plats to advise future purchasers of the family division restrictions

Vehicle storage yards in I-1 districts (sections 19-181 and 19-185)

This amendment was requested by mini-warehouse owners and is designed to permit the outdoor storage of vehicles as a restricted use in I-1 zoning districts.

This amendment, as recommended by the Planning Commission, will permit vehicle storage yards in I-1 zoning districts if they comply with the following standards (a conditional use will be required for vehicle storage yards that do not comply with these standards):

- The use is accessory to warehouses/mini-warehouses
- The use is screened from view
- There is no outdoor vehicle maintenance
- There is no vehicle sales
- No vehicle stored on site exceeds the height of surrounding buildings, walls or fences

The owner of a mini-warehouse facility requested that the vehicle storage height requirement be eliminated. The Commission elected to retain this requirement to improve enforcement of the ordinance.

000130

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY
OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING
AND RE-ENACTING THE FOLLOWING SECTIONS:

Changes to development standards: 17-2 and 17-46 increase standards for family subdivisions to minimize circumvention of the subdivision ordinance; require land to be owned by the family member for five (5) years prior to a family division; require land to be owned by the family member for five (5) years after a family division; require affidavits of intent; establish legal presumptions regarding violations; establish penalties, restrictions and corrective measures for violations of the family division process and require warning language on plats to alert future property owners of the family division restrictions; and **19-181 and 19-185** to permit outdoor vehicle storage, accessory to warehouses, as a restricted use in I-1 districts;

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) *That Sections 17-2, 17-46, 19-181 and 19-185 of the Code of the County of Chesterfield, 1997, as amended, are amended and re-enacted to read as follows:*

[Amendment 2. (a)]

17-2. Definitions

Subdivision, residential parcel: The division, per article II division IV, of any parcel of land for residential use, into two (2) or more parcels all of which are more than five (5) acres, and which:

o o o

(a) Residential parcel subdivisions shall include:

Family subdivisions which shall be defined as a single division of land to create a lot or a parcel for the purpose of a sale or gift to a member of the immediate family of the property owner including a partition of property owned by immediate family members. Only one such division shall be allowed per family member and shall not be for the purpose of circumventing this chapter. For the purpose of this subsection, a member of the immediate family shall be defined as any person who is a natural or legally defined offspring, spouse, sibling, grandchild, grandparent or parent of the owner. Family subdivisions shall comply with all applicable requirements of the zoning ordinance and the standards set forth in this chapter. Access shall be provided as required by the Code of Virginia.

Family subdivisions shall comply with the following requirements:

(i) The property owner requesting approval of a family subdivision shall have owned the property for a continuous period of not less than two (2) years immediately preceding the filing of the family subdivision application. This subsection shall not apply in the case of the death of the owner, and

the estate executor or administrator shall be permitted to transfer the property to any eligible family member(s) of the decedent as defined in subsection (a) for the purposes of facilitating the family subdivision. Upon application, the director of planning may grant relief to this two (2) year retention period in cases of severe hardship including foreclosure, judicial sale, condemnation, bankruptcy or permanent relocation by the owner out-of-state. This subsection shall apply only to property acquired by the owner subsequent to January 1, 2005.

- (ii) Lots or parcels created through a family subdivision shall be titled in the name of the original recipient for whom the subdivision is made for a period of not less than five (5) years. Upon application, the director of planning may grant relief to this five (5) year retention period in cases of severe hardship including foreclosure, death, judicial sale, condemnation, bankruptcy or permanent relocation by the owner out-of-state. Additionally, the director of planning may approve the transfer of property between eligible family members as defined in subsection (a) within the five (5) year retention period. Any such relief granted by the director shall be in the form of an instrument that the applicant shall record against the parcel in the land records of the Circuit Court.
- (iii) Family subdivisions that do not comply with these requirements shall be presumed to have intended at the time of approval to circumvent this chapter and shall be deemed to be in violation of section 17-6. Any such lots or parcels shall be denied a building permit and, if a building permit has already been issued, shall upon discovery be subject to provisions of section 17-12 and 17-13. Further, the director of planning may take any reasonable actions necessary to ameliorate the effect of such circumvention including, without limitation, requesting the board of supervisors to adopt an ordinance pursuant to state law that vacates the subdivision in whole or in part.
- (iv) All proposed plats for family subdivisions shall include on the plat an affidavit under oath and penalty of perjury from the proposed grantor that identifies the subdivision as being for the purposes of conveyance to a qualifying family member and identifies the receiving family members and their relationship to the grantor.
- (v) All family subdivision plats must contain a conspicuous note containing the following language:

“The Chesterfield County Subdivision Ordinance requires the original recipient of a parcel or lot created by a family subdivision to retain ownership of the property for not less than five years unless granted relief by the director of planning. Any violation of this requirement shall be presumed to constitute a circumvention of the subdivision ordinance and may result in corrective action taken by the County including, without

limitation, imposition of applicable penalties, denial of building permits, and/or vacation of the subdivision.”

Sec. 17-46. Residential parcel subdivision and parcel line modification plat requirements.

o o o

- (3) The record plat shall graphically show the following:

o o o

- i. An affidavit under oath and penalty of perjury from the proposed grantor that identifies the subdivision as being for the purposes of conveyance to a qualifying family member and identifies the receiving family members and their relationship to the grantor.
- j. A note stating “The Chesterfield County Subdivision Ordinance requires the original recipient of a parcel or lot created by a family subdivision to retain ownership of the property for not less than five years unless granted relief by the director of planning. Any violation of this requirement shall be presumed to constitute a circumvention of the subdivision ordinance and may result in corrective action taken by the County including, without limitation, imposition of applicable penalties, denial of building permits, and/or vacation of the subdivision.”

[Amendment 2. (d)]

Sec. 19-181 Uses permitted with certain restrictions

The following uses shall be permitted in the I-1 District subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to the provisions of section 19-13:

o o o

- (h) Vehicle storage yards provided that:

- (1) Such use is accessory to the operation of a warehouse or mini-warehouse facility,
- (2) The portion of the warehouse or mini-warehouse facility used for vehicle storage yards is screened as follows:
 - a. The view of vehicle storage yards need not be screened from properties in I-2 or I-3 districts or from existing outside storage areas on adjacent properties

b. Except as noted above, the view of vehicle storage yards shall be screened from public roads and adjacent properties where outside storage is permitted. Screening shall be accomplished by building layout or durable architectural walls or fences constructed of comparable materials and using a design compatible to the warehouse building(s) on the property unless the director of planning determines that:

(i) Berms or other land forms can be installed that provide screening which meets the spirit and intent of the zoning ordinance; and

(ii) The berms or land forms are part of the natural terrain or integrated to appear that they are part of the natural terrain.

c. Except as noted above, the view of vehicle storage yards shall be screened from adjacent properties in R, R-TH, RMF, O, MH or I-1 districts and from adjacent properties in an A district that is designated on the comprehensive plan for R, R-TH, RMF, A, O, MH or I-1 districts. Screening shall be accomplished by a compound design such that warehouse buildings block the view of the vehicle storage area. Openings between buildings shall be permitted for underground utilities, fire code requirements and unique site constraints. Views of vehicle storage areas through such openings shall be precluded through the use of screening walls constructed of comparable materials and using a design compatible to the warehouse building(s) on the property.

(3) No outdoor vehicle maintenance is permitted.

(4) No vehicle sales are permitted.

(5) No vehicle shall be stored that exceeds the height of the surrounding warehouse buildings, walls or fences.

Sec. 19-185. Required conditions.

In addition to the other requirements of this chapter, the conditions specified in this section shall be met in the I-1 District.

(a) All uses, including storage, shall be conducted entirely within an enclosed building, except for accessory parking, loading and unloading facilities, and vehicle storage as allowed per section 19-181(h).

o o o

(2) *That this ordinance shall become effective immediately upon adoption.*



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: June 23, 2004

Item Number: 8.B.11.

Subject:

FY2004 Year End Adjustments

County Administrator's Comments: *Recommend Approval*

County Administrator: _____ *ABR*

Board Action Requested:

Approve FY2004 year-end revenue and expenditure adjustments as follows.

1. Appropriate revenues and expenditures for specific programs as well as authorize reallocations among General Fund departments and related funds as outlined on Schedule A.
2. Appropriate revenues and expenditures and authorize other adjustments for specific programs and Non-General Fund departments as outlined on Schedule B.
3. Authorize the County Administrator to reserve and appropriate into FY2005 unspent FY2004 appropriations, contingent upon positive results of operations within individual departments and Countywide, as determined by the County's financial audit as outlined on Schedule C.

Summary of Information:

At the end of each fiscal year, staff requests revisions among appropriation categories consistent with year-end projections of revenues and expenditures.

Adjustments necessary at fiscal year-end are described below.

Preparer: Rebecca T. Dickson

Title: Director, Budget & Management

Attachments:



Yes



No

000135

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

Meeting Date: June 23, 2004

Each year, most departments reduce their personnel budgets by an amount equal to 4% of their personnel costs. This budgeted reduction assumes attrition (or turnover) within the department. The 4% is based on an expected countywide average with some departments experiencing more and some departments experiencing less turnover. Several departments did not experience the budgeted 4% turnover, which has resulted in the need for changes in allocations.

Among public safety departments, the budget for the Police Department will require an additional appropriation due primarily to costs for retiree healthcare, workers compensation and overtime. The budget for the Sheriff and local jail will require additional appropriation due primarily due to overtime, medical expenses, workers compensation, low turnover, and retiree healthcare expenses.

In the management services area, the budget for the Waste and Resource Recovery department requires adjustment due largely to vendor service contracts and the General Services Administration budget requires adjustment due to low turnover and higher than budgeted benefit costs. The Department of Real Estate Assessments also requires additional funds due primarily to a workers compensation expense.

In the county administration area, the clerk's office required additional funds due primarily to expenses related to the hurricane and higher than normal postage expenses.

In addition, adjustments are required for state sales tax and the corresponding transfer to schools. The revised state sales tax estimate for the year is \$382,144 below the FY2004 adopted budget. The School Board took action to reflect this most recent estimate at their May 25, 2004 meeting.

Transfers, unspent appropriations, and in some cases the use of departmental revenues over the budget are being utilized to increase appropriations for departments that would otherwise have exceeded budgeted expenditures.

000136

Schedule A**County Departmental Revenue and Expenditure Budget Adjustments**

| | <u>Revenue</u> | <u>Expenditures</u> |
|-------------------------------------|-----------------------|----------------------------|
| Animal Control | | \$56,800 |
| Assessor | | 64,794 |
| Building Inspections-CDIS | | (205,000) |
| Buildings and Grounds | | 50,000 |
| Clerk of the Circuit Court | 192,018 | (27,500) |
| Clerk to the Board of Supervisors | | 52,000 |
| Commissioner of Revenue | | (37,000) |
| Commonwealth's Attorney | | 43,500 |
| Disability Services Board | | (7,500) |
| Economic Development | | (37,000) |
| Extension Services | | (20,000) |
| Environmental Engineering | 86,703 | 24,400 |
| General Services-Administration | | 47,113 |
| Juvenile Detention Home | 191,422 | |
| Library | 50,000 | |
| Miscellaneous | | (41,011) |
| Parks and Recreation | | (55,000) |
| Police | 160,000 | 183,776 |
| Sheriff and Jail | 152,000 | 485,185 |
| Social Services (local subsidy) | | (45,271) |
| Transportation | | (35,000) |
| Transfer to Schools-State Sales Tax | (382,144) | (382,144) |
| Reserve for Capital Projects | | (75,020) |
| Transfer to Grants | | 36,520 |
| Transfer to Capital Projects | | 238,357 |
| Waste and Resource Recovery | | 160,000 |
| Youth Services | | <u>(25,000)</u> |
| Total Change | \$ 449,999 | \$ 449,999 |

Notes:

- (1) Accounts receivable billings in the amount of \$77,273 to the Henricus Foundation for FY2002 were written off in FY2003.

Schedule B

Other Funds - Revenue and Expenditure Budget Adjustments

| | <u>Revenue</u> | <u>Expenditures</u> |
|--|-------------------------|----------------------------|
| <u>Grants:</u> | | |
| Fire - Police command unit vehicle | \$36,520 | \$36,520 |
| Juvenile Drug Court - excess revenues received | 37,500 | 37,500 |
| <u>Vehicle & Communications Maintenance:</u> | | |
| Radio Shop | \$165,665 | \$165,665 |
| <u>County Capital Projects:</u> | | |
| Chesterfield Development Information System (CDIS) - Equipment | 205,000 | 205,000 |
| County Complex Roads | (5,143) | (5,143) |
| Jail Canteen Automated Booking | (100,000) | (100,000) |
| Debt | 61,543 | 61,543 |
| Total County Capital Projects: | <u>161,400</u> | <u>161,400</u> |
| | | |
| Total Other Funds: | <u>\$401,085</u> | <u>\$401,085</u> |

Schedule C

Reserves, Carried Forward and Appropriated into FY2005 Contingent on Individual Item Results of Operations

| | |
|--|-------------|
| Animal Control - Donations and recycle proceeds, license plate revenue | \$9,608 |
| Convention Center - prior commitment | 812,648 |
| Debt Service | 505,027 |
| Disability Services Board | 2,273 |
| DUI Fees | 75,000 |
| Environmental Engineering - BMP maintenance revenue received | 225,000 |
| Environmental Engineering - GIS Map sales | 193,593 |
| Fire & EMS - Donations | 16,986 |
| Fire & EMS - Revenue recovery | 798,718 |
| Health - West Nile Virus Program & Indigent Care | 54,150 |
| Human Resource Management | 5,400 |
| James River Advisory Council | 76,225 |
| MH/MR/SA - State funds for psychological rehab. Services | 111,600 |
| MH/MR/SA - Federal funds for substance abuse | 12,500 |
| Parks and Recreation - Donations | 2,500 |
| Police - Donations | 952 |
| Partner Group Revenue Maximization from State DSS (Title IVE Partner) | 735,800 |
| Social Services - federal housing funds | 24,000 |
| Vulcan contract | 150,000 |
| Wellness Program | 4,000 |
| | <hr/> |
| | \$3,815,979 |

Reserves, Carried Forward and Appropriated into FY2005 Individual Reserves Contingent Upon Positive Results of Operations

| | | |
|--|----|-------------|
| Comprehensive Services Act- vendor increases | \$ | 200,000 |
| Balance of FY05 merit increase needed in FY06 budget | | 741,400 |
| Chesterfield University - prior commitment | | 6,700 |
| Clerk of Circuit Court - replacement carpet | | 35,000 |
| County Administration - Prior Commitments | | 100,000 |
| E-911 Center - telephone system | | 14,746 |
| Economic Development Incentives | | 119,621 |
| Economic Development - consultant services | | 35,000 |
| Employee Benefits | | 400,000 |
| Environmental Engineering - replacement capital | | 31,000 |
| Extension Services - Grass Roots program | | 2,500 |
| Fire & EMS - volunteer company donations | | 10,000 |
| Fire & EMS - Workman's compensation claim payment | | 150,000 |
| Fire & EMS - equipment | | 50,000 |
| General Fund contribution to Risk Mgt. worker's compensation reserve | | 200,000 |
| Information Systems Technology - virus software | | 99,000 |
| Intergovernmental Relations - replacement computer equipment | | 3,800 |
| Juvenile Detention Home - operating | | 200,000 |
| JDR Judges - filing system | | 4,000 |
| Parks & Recreation - Replacement capital | | 31,025 |
| Libraries - Books and Electronic Resources | | 37,000 |
| MH/MR/SA - telephone system upgrade for Rogers Bldg. | | 100,000 |
| Police - joint training | | 14,752 |
| Social Services - Families First grant transfer | | 16,416 |
| Additional per diem costs for the Regional Jail in FY2006 | | 300,000 |
| Technology improvements | | 25,000 |
| | | <hr/> |
| | | \$2,926,960 |

Other Funds to Be Reserved and Carried Forward and Appropriated into FY2005:

| | |
|---|---------------|
| Airport - Grant matches, security improvements, capital (results of operations) | \$48,900 |
| Drug Court | 37,500 |
| Fleet - Fuel island renovation | 36,000 |
| Utilities | 304,800 |
| Radio Shop - (Results of operations) | 307,943 |
| Youth Group Home - security upgrades | <u>37,104</u> |

Total Other Funds: **\$772,247**



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: June 23, 2004

Item Number: 8.B.12.a.

Subject: Request to Quitclaim a Portion of a Storm Water Management System/Best Management Practice Easement Across the Property of Parker Homes, Incorporated

County Administrator's Comments: *Recommend Approval*

County Administrator: _____ *JWH*

Board Action Requested: Authorize the Chairman of the Board of Supervisors and the County Administrator to execute a quitclaim deed to vacate a portion of a storm water management system/best management practice easement across the property of Parker Homes, Inc.

Summary of Information:

Parker Homes, Inc. has requested the quitclaim of a portion of a storm water management system/best management practice easement across its property as shown on the attached plat. Staff has reviewed the request and recommends approval.

District: Matoaca

Preparer: _____ John W. Harmon

Title: Right of Way Manager

Attachments:



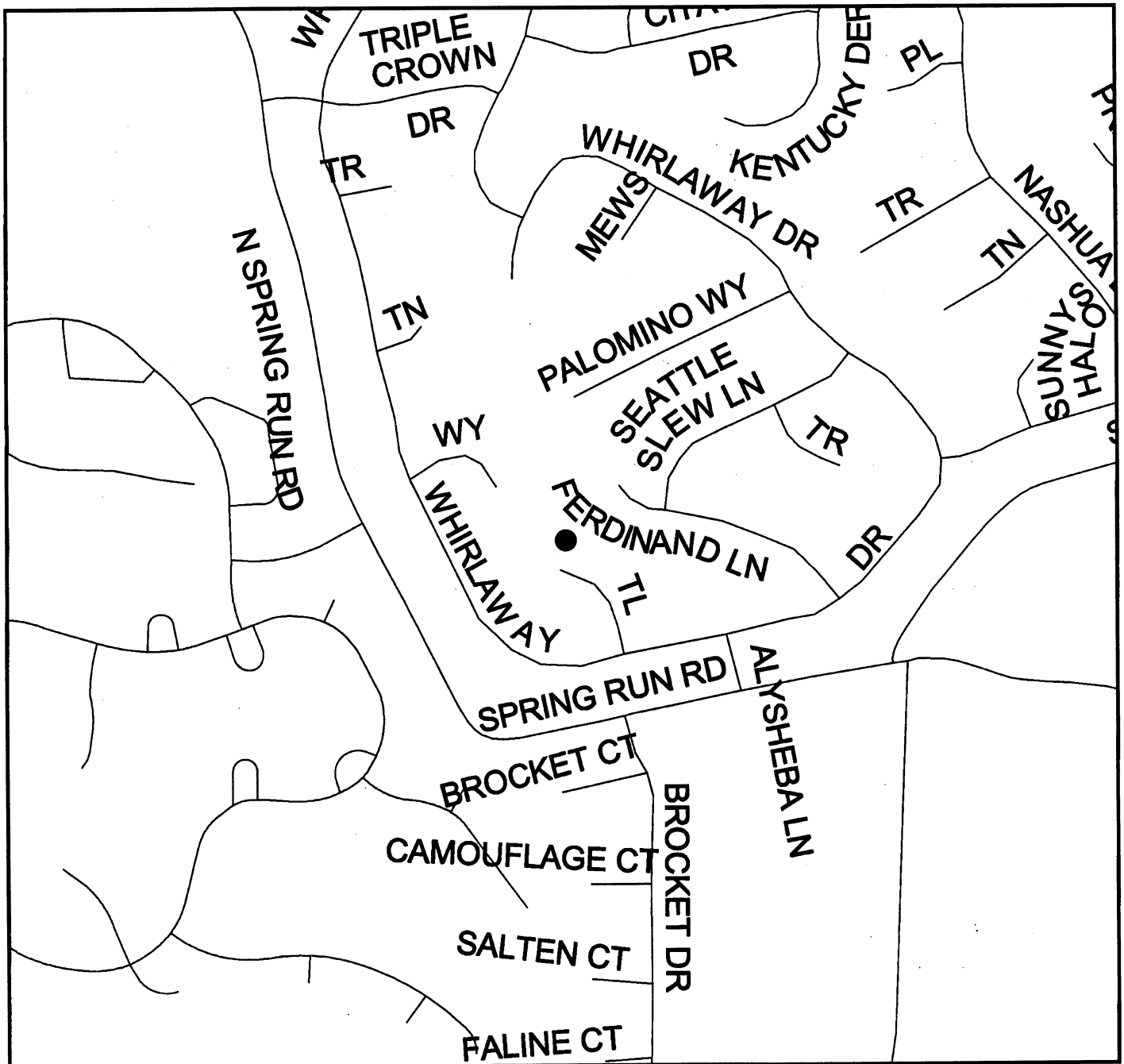
Yes



No

000141

**REQUEST TO QUITCLAIM A PORTION OF A
STORM WATER MANAGEMENT SYSTEM/BEST
MANAGEMENT PRACTICE (SWM/BMP)
EASEMENT ACROSS THE PROPERTY OF
PARKER HOMES, INC.**



**Chesterfield County Department of Utilities
Right Of Way Office**



000142



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: June 23, 2004

Item Number: 8.B.12.b.

Subject: Request to Quitclaim Eight-Foot and Sixteen-Foot Sewer Easements and Ten Foot Temporary Construction Easements across the Property of Bon Secours - Saint Francis Medical Center, Incorporated

County Administrator's Comments: *Recommend Approval*

County Administrator: _____ *LHP*

Board Action Requested: Authorize the Chairman of the Board of Supervisors and the County Administrator to execute a quitclaim deed to vacate 8' and 16' sewer easements and 10' foot temporary construction easements across the property of Bon Secours-St. Francis Medical Center, Inc.

Summary of Information:

Bon Secours-St. Francis Medical Center, Inc. has requested the quitclaim of 8' and 16' sewer easements and 10' temporary construction easements across its property as shown on the attached plat. Staff has reviewed the request and approval is recommended.

District: Matoaca

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes



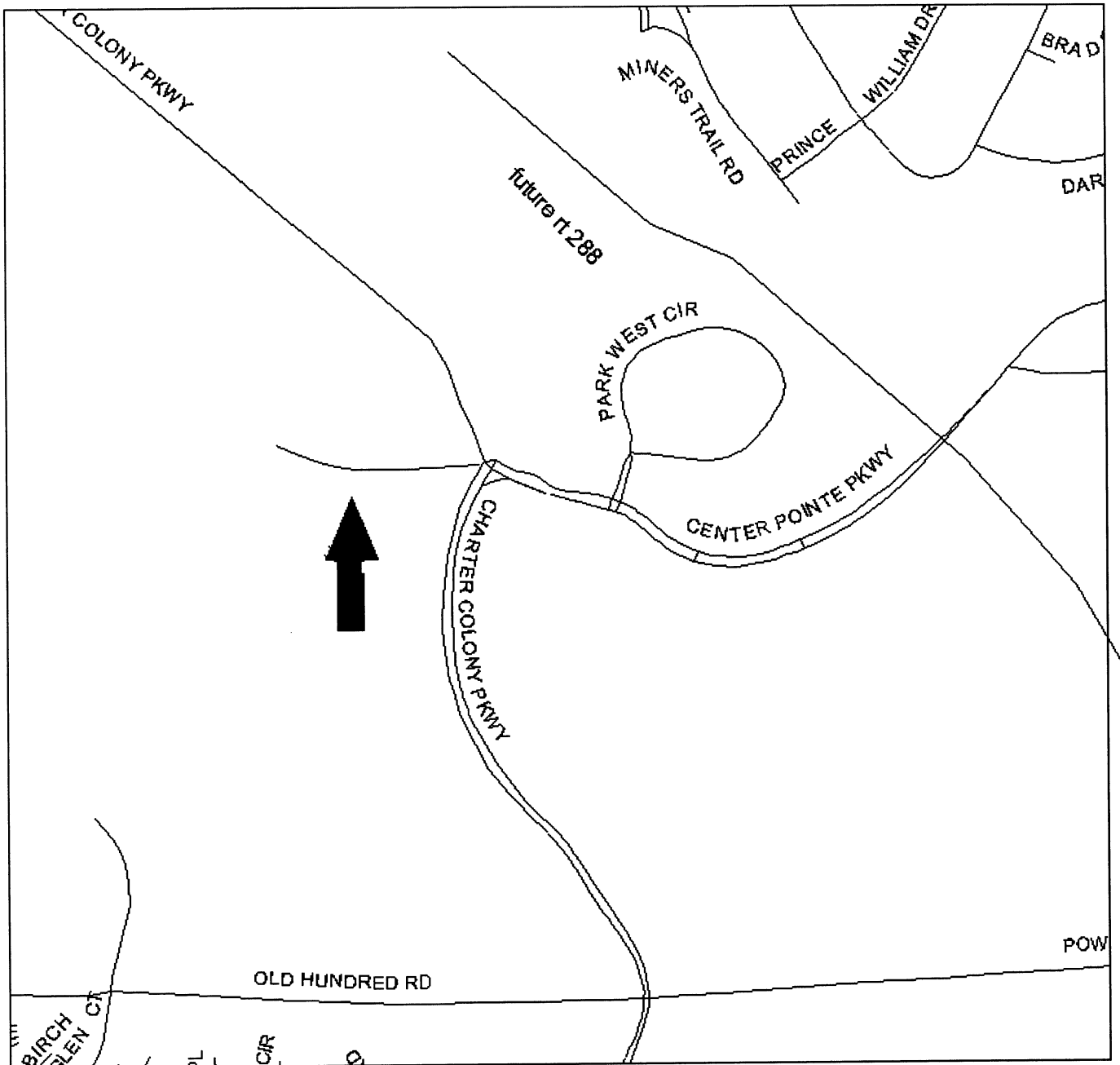
No

#

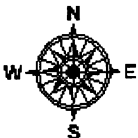
000143

VICINITY SKETCH

REQUEST TO QUITCLAIM EIGHT FOOT AND SIXTEEN FOOT
SEWER EASEMENTS AND TEN FOOT TEMPORARY
CONSTRUCTION EASEMENTS ACROSS THE PROPERTY OF
BON SECOURS-ST. FRANCIS MEDICAL CENTER, INC.

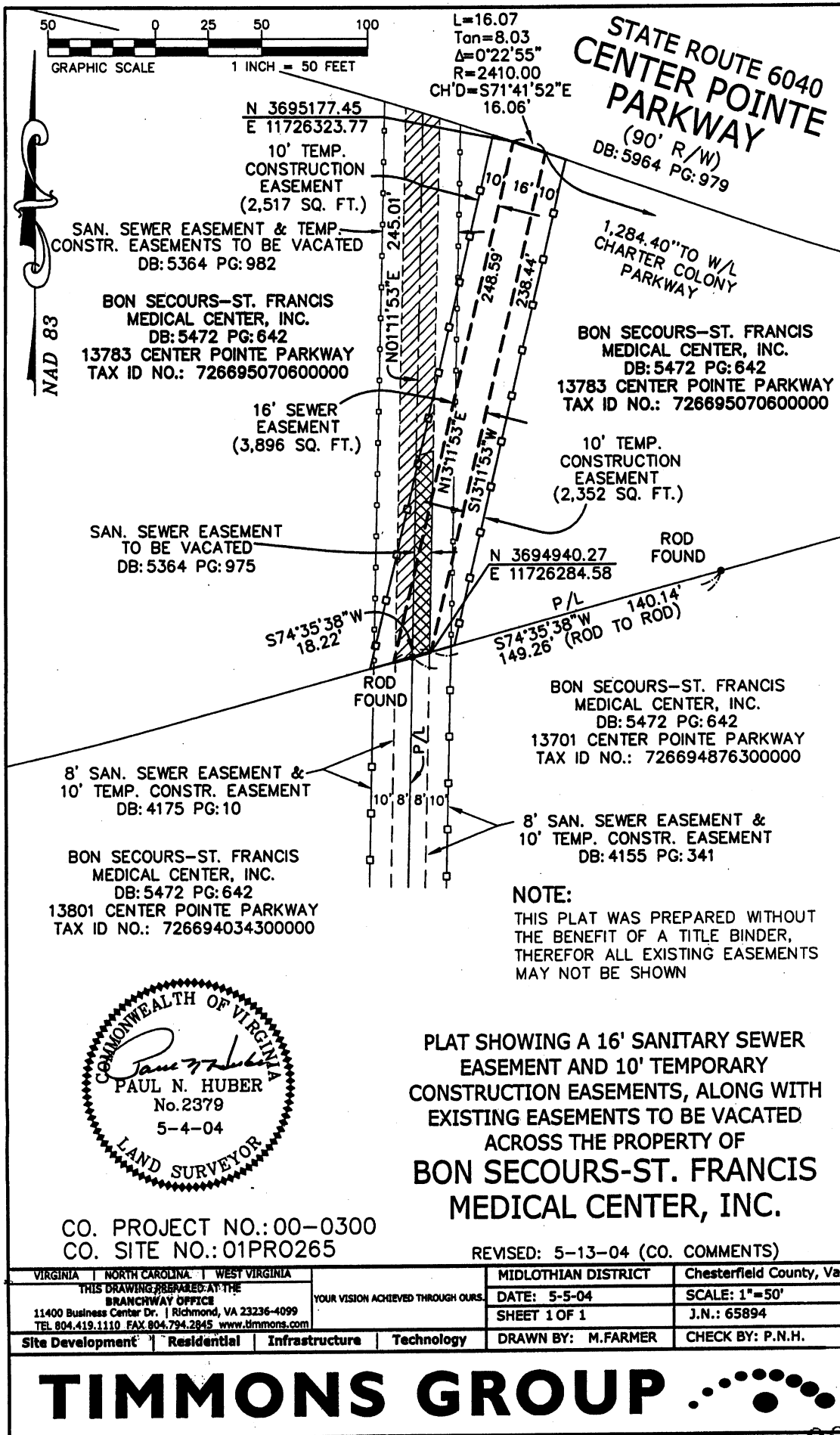


Chesterfield County Department of Utilities



1 inch equals 708.33 feet

000144





**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: June 23, 2004

Item Number: 8.B.13.a.

Subject: Request Permission to Install a Private Sewer Service Within a Private Easement to Serve Property at 3709 Oxbridge Road

County Administrator's Comments: *Recommend Approval*

County Administrator: *ASR*

Board Action Requested: Grant Sunbelt Homes, Inc. permission to install a private sewer service within a private easement and authorize the County Administrator to execute the sewer connection agreement.

Summary of Information:

Sunbelt Homes, Inc. has requested permission to install a private sewer service within a private easement to serve property at 3709 Oxbridge Road. This request has been reviewed by staff and approval is recommended.

District: Dale

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes



No

000146

VICINITY SKETCH

REQUEST PERMISSION TO INSTALL A PRIVATE SEWER SERVICE WITHIN A PRIVATE EASEMENT TO SERVE PROPERTY AT 3709 OXBRIDGE ROAD



Chesterfield County Department of Utilities
Right Of Way Office



000147

N=3,689,675.23
E=11,750,712.24

C/L OF
HORNER'S RUN

NAD 83

16' EASEMENT
PB: 16, PG: 62-64

MAYFAIR ESTATES
SECTION A
BLOCK D
LOT 14

PB: 16, PG: 62-64

PRIVATE 16'
SEWER
EASEMENT
PRIVATE 10'
TEMPORARY
CONSTRUCTION
EASEMENT

HORNER & SAVAGE
9801 OXBRIDGE PLACE
GPIN 751-685-0478-00000
DB: 894, PG: 243

FLOOD PLAIN
EASEMENT

25' SEWER EASEMENT
DB: 1309, PG: 225

N=3,689,546.99
E=11,750,640.94

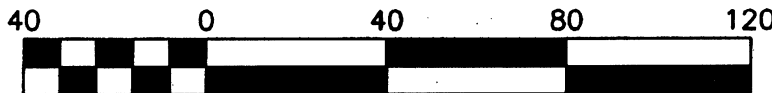
MAYFAIR ESTATES
SECTION A
BLOCK D
LOT 16

PB: 16, PG: 62-64

3709 OXBRIDGE ROAD

N82°43'46"E 208.00'

224.46' TO THE
OXBRIDGE ROAD
60' R/W
N/L OF DUNRAVEN
ROAD (EXT'D)



Scale 1" = 40'

Plat Showing a
PRIVATE 16' SEWER EASEMENT & PRIVATE 10'
TEMPORARY CONSTRUCTION EASEMENTS
ACROSS THE LANDS OF HORNER & SAVAGE

DATE: 05/27/2004
SCALE: 1"=40'
JOB NO: C0410026

Dale District
Chesterfield County, Virginia

• PLANNERS • ARCHITECTS • ENGINEERS • SURVEYORS •

501 Branchway Road • Suite 100 • Richmond, Virginia 23236 • Phone (804) 794-0571 • Fax (804) 794-2635

BALZER
AND ASSOCIATES INC.
BALZER
REFLECTING TOMORROW
www.balzer.cc

000148



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: June 23, 2004

Item Number: 8.B.13.b.

Subject: Request Permission for a Satellite Dish to Encroach Within a Fifty-Foot Unimproved Right of Way Known as Applewood Lane

County Administrator's Comments: *Recommend Approval*

County Administrator: _____ *[Signature]*

Board Action Requested: Grant Winifred G. Rogers, Trustee permission for a satellite dish to encroach within a 50' unimproved right of way known as Applewood Lane, subject to the execution of a license agreement.

Summary of Information:

Winifred G. Rogers, Trustee has requested permission for a satellite dish to encroach within a 50' unimproved right of way known as Applewood Lane. This request has been reviewed by staff and approval is recommended.

District: Bermuda

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes



No

000149

VICINITY SKETCH

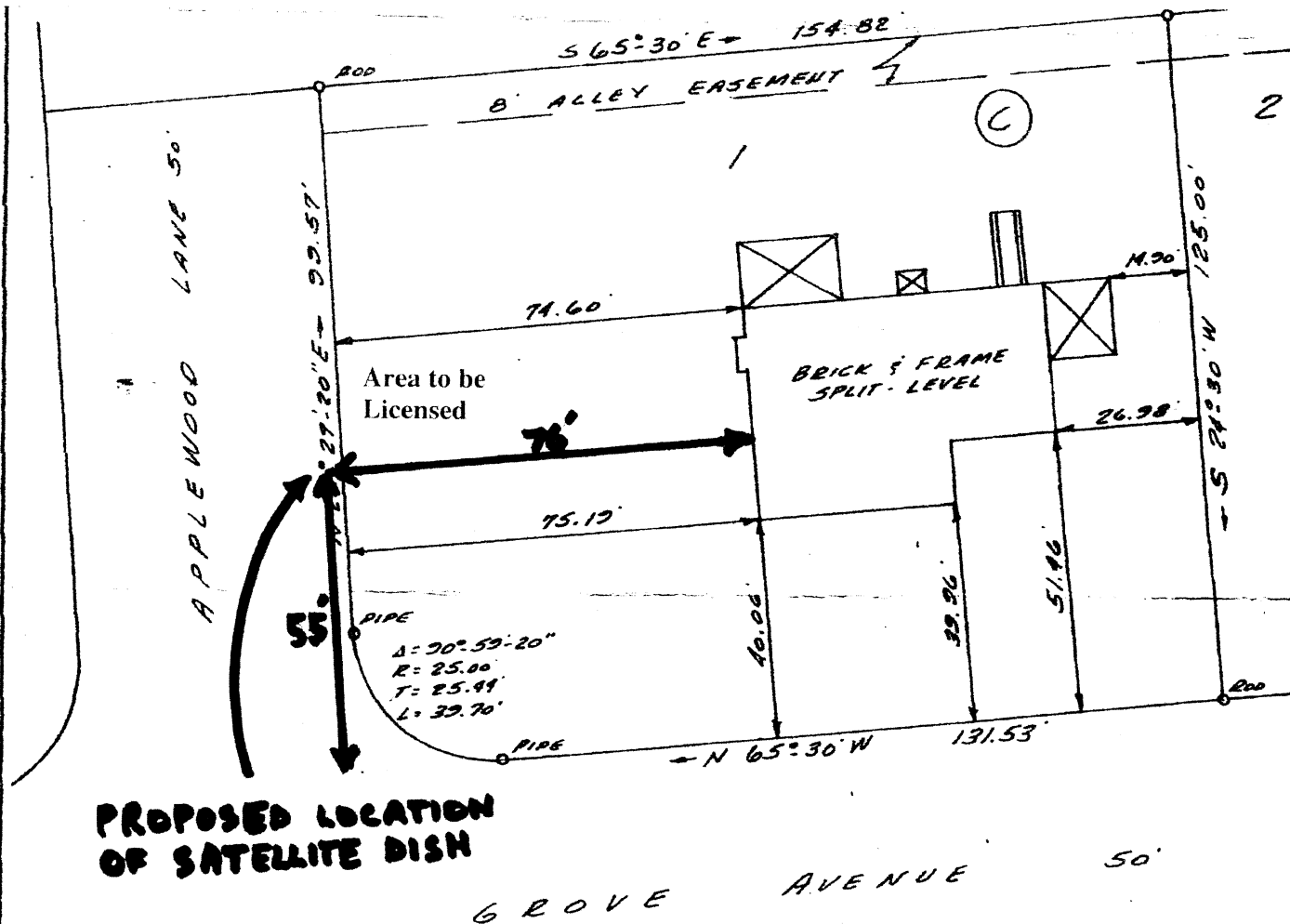
REQUEST PERMISSION FOR A SATELLITE DISH TO ENCROACH WITHIN A 50' UNIMPROVED RIGHT OF WAY KNOWN AS APPLEWOOD LANE



Chesterfield County Department of Utilities
Right Of Way Office



000150



Winifred G. Rogers, Trustee
 3230 Grove Avenue
 DB. 5393 PG. 254
 PIN: 794656522300000

**PRITCHARD
AND LEGAT**

**ENGINEERS
AND SURVEYORS
HOPEWELL
VIRGINIA**

PLAT SHOWING PROPERTY OF:
 ARMAND J. & DOROTHY K. MORELLI
 LOT 1, BLK. C
 PLEASANT DALE, SEC. A
 BERMUDA DISTRICT
 CHESTERFIELD COUNTY
 VIRGINIA

SCALE: 1" = 30'

DATE: MARCH 30, 1964

DRAWING NO.

135-6

000151



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: June 23, 2004

Item Number: 8.B.13.c.

Subject: Request Permission for a Proposed Deck to Encroach Within a Variable Width Drainage and Sanitary Sewer Easement Across Lot 17, Bayhill Pointe, Section 14

County Administrator's Comments: *Recommend Approval*

County Administrator: *JSR*

Board Action Requested: Grant Capitol Builders, Inc., permission for a proposed deck to encroach within a variable width drainage and sanitary sewer easement across Lot 17, Bayhill Pointe, Section 14, subject to the execution of a license agreement.

Summary of Information:

Capitol Builders, Inc. has requested permission for a proposed deck to encroach within a variable width drainage and sanitary sewer easement across Lot 17, Bayhill Pointe, Section 14. This request has been reviewed by staff and approval is recommended.

District: Matoaca

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes



No

#000152

VICINITY SKETCH

REQUEST PERMISSION FOR A PROPOSED
DECK TO ENCROACH WITHIN A VARIABLE
WIDTH DRAINAGE AND SANITARY SEWER
EASEMENT ACROSS LOT 17, BAYHILL POINTE,
SECTION 14



Chesterfield County Department of Utilities
Right Of Way Office



000153

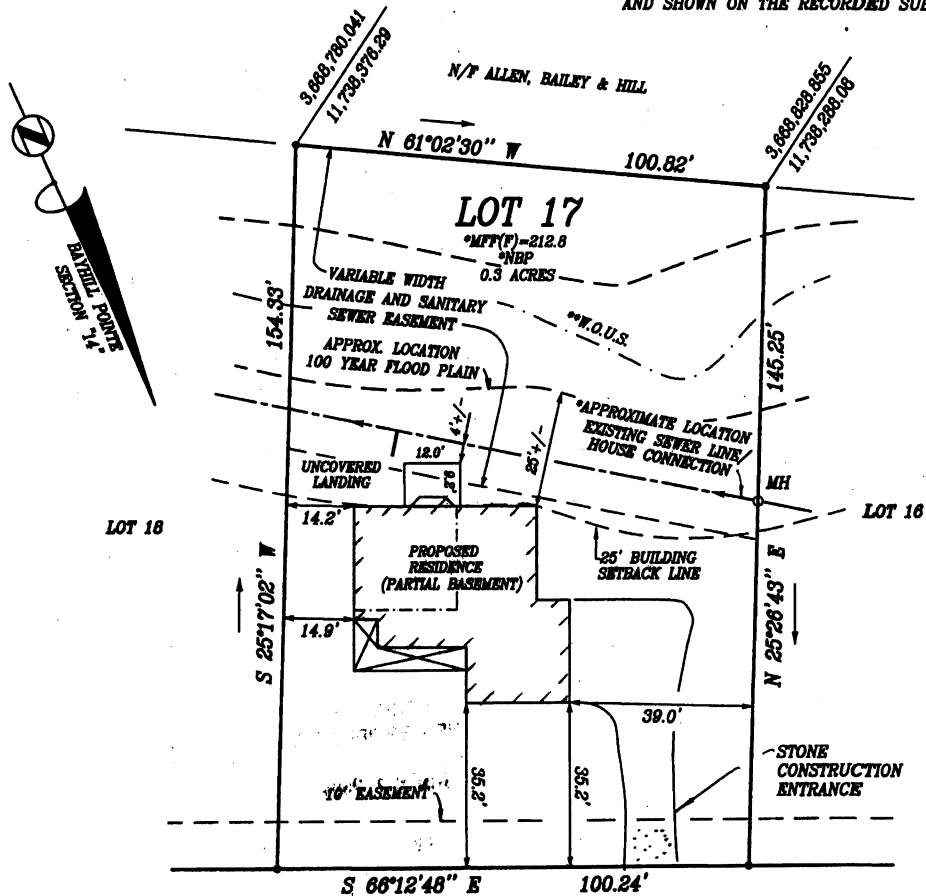
*U.S. ARMY CORPS OF ENGINEERS
JURISDICTIONAL WETLANDS OR WATERS OF THE
UNITED STATES NOT TO BE DISTURBED WITHOUT
PERMISSION FROM THE CORPS OR V.A.D.E.Q.

*NO BUILDING PERMIT TO BE ISSUED
UNTIL COUNTY INSPECTOR APPROVES THE
IMPROVEMENTS.

**NOTE: THIS PROPERTY IS LOCATED IN
ZONE C AS SHOWN ON FEMA
COMMUNITY PANEL NO. 510035 0081 B**

(EFFECTIVE DATE: MARCH 16, 1981)

HOWEVER, THERE IS A 100 YEAR FLOOD
PLAIN ON THIS PROPERTY AS ESTABLISHED BY
AND SHOWN ON THE RECORDED SUBDIVISION PLAT.



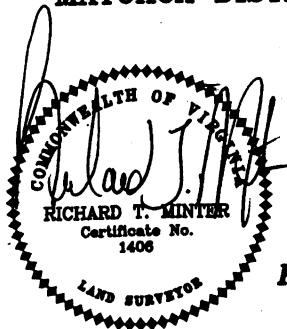
*LOCATION OF EXISTING SEWER LINE
BASED ON CONSTRUCTION PLANS BY
LEWIS AND ASSOCIATES.

*PROPOSED LANDING ENCROACHMENT
APPROXIMATELY 4.0'.

**HOLLOW OAK
DRIVE**

201.71' TO THE
E/L OF HOLLOW
OAK ROAD,
EXTENDED

**PLOT PLAN SHOWING PROPOSED IMPROVEMENTS ON LOT 17,
PLAN OF "BAYHILL POINTE", SECTION "14", IN THE
MATOACA DISTRICT OF CHESTERFIELD COUNTY, VIRGINIA.**



*PROPERTY ADDRESS:
#8949 HOLLOW OAK DRIVE
GPIN# 738-668-368700000

THIS SURVEY HAS BEEN PREPARED
WITHOUT THE BENEFIT OF A TITLE
REPORT AND THEREFORE DOES NOT
NECESSARILY INDICATE ALL
ENCUMBRANCES ON THE PROPERTY.

*REVISED MAY 28, 2004
(LANDING ENCROACHMENT)

POTTS, MINTER and ASSOCIATES, P.C.

Engineers, Land Surveyors, Land Planners
3680 Courthouse Road Suite B
Richmond, Virginia 23236
(804) 748-8878

Date: NOV. 5, 2003
Scale: 1"=30'
J.N. 0307-28

CHECKED: RTM

000154



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: June 23, 2004

Item Number: 8.B.13.d.

Subject: Request Permission to Install a Private Water Service Within a Private Easement to Serve Property at 21825 Ferndale Avenue

County Administrator's Comments: *Recommend Approval*

County Administrator: _____ *[Signature]*

Board Action Requested: Grant Phillip W. Cox permission to install a private water service within a private easement and authorize the County Administrator to execute the sewer connection agreement.

Summary of Information:

Phillip W. Cox has requested permission to install a private water service within a private easement to serve property at 21825 Ferndale Avenue. This request has been reviewed by staff and approval is recommended.

District: Matoaca

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



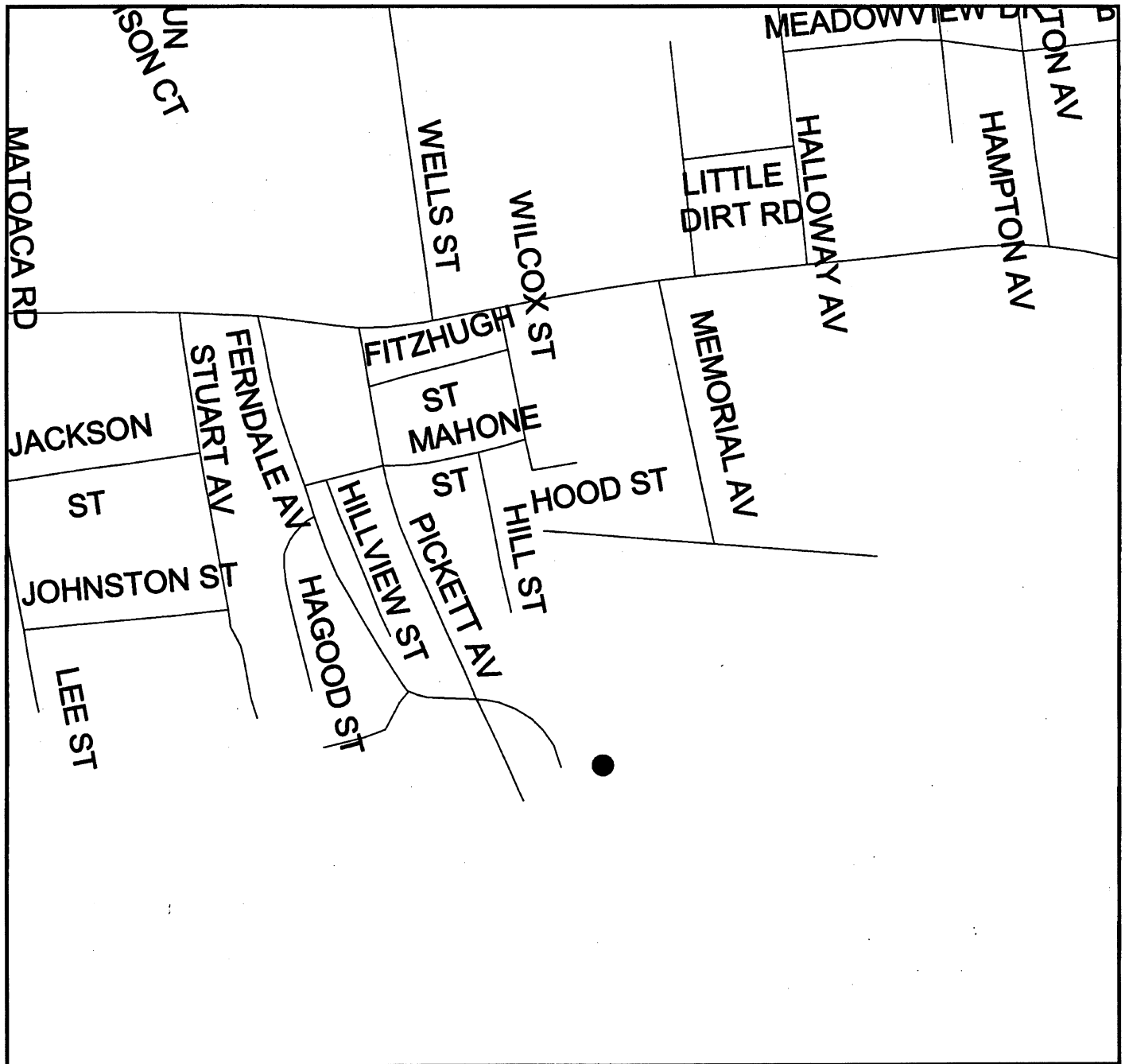
Yes



No

#000155

VICINITY SKETCH
REQUEST PERMISSION TO INSTALL A
PRIVATE WATER SERVICE WITHIN A
PRIVATE EASEMENT TO SERVE PROPERTY
AT 21825 FERNDAL AVENUE

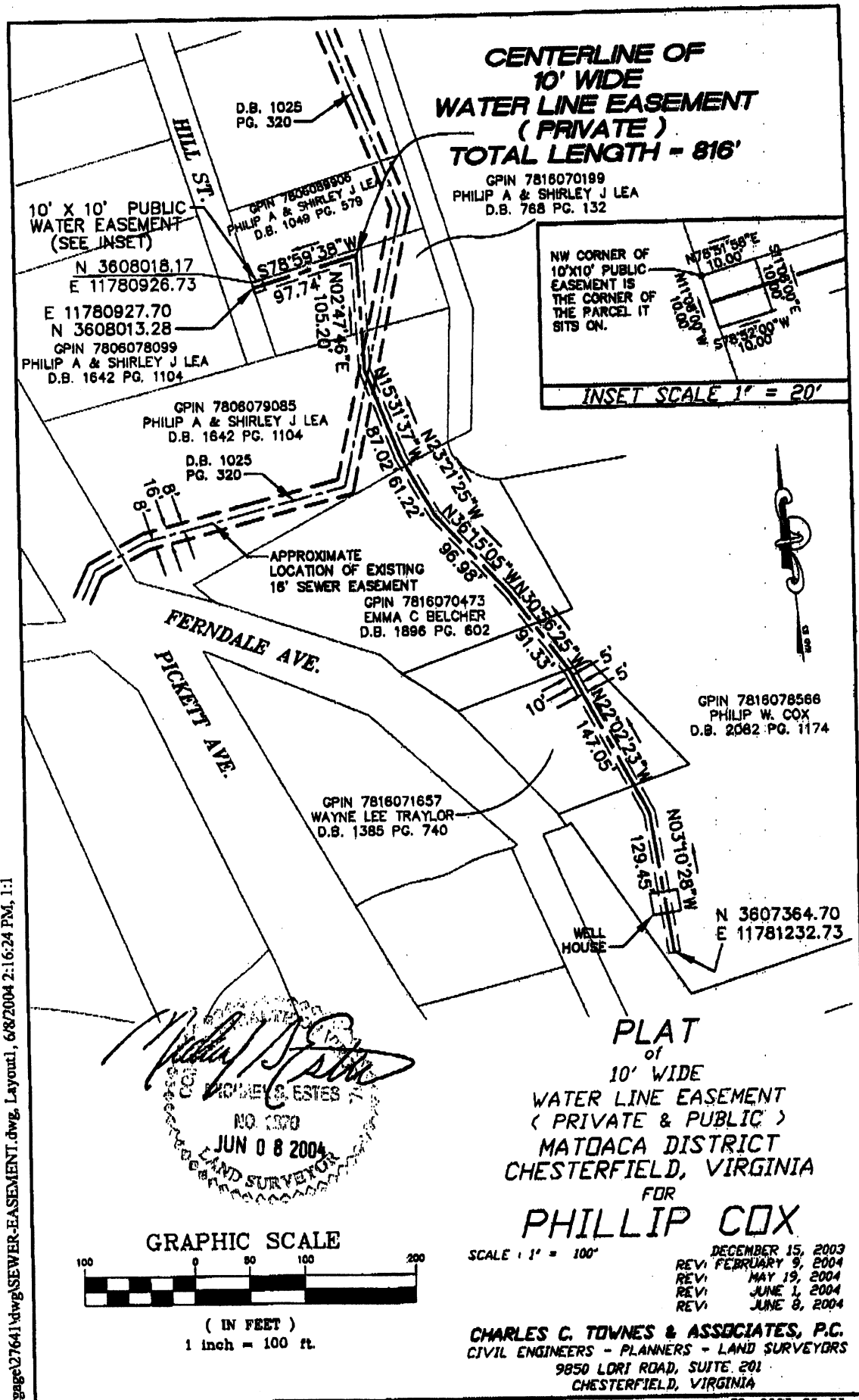


Chesterfield County Department of Utilities
Right Of Way Office

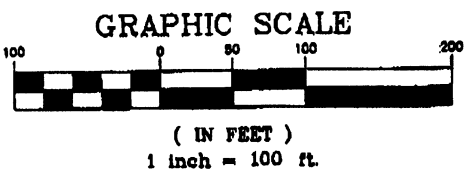


000156

J:\mortgage\27641\dwg\SEWER-EASEMENT.dwg, Layout1, 6/8/2004 2:16:24 PM, 1:1



Phillip Cox
CHARLES C. ESTES
NO. 0070
JUN 08 2004
LAND SURVEYOR



**PLAT
of
10' WIDE
WATER LINE EASEMENT
(PRIVATE & PUBLIC)
MATOACA DISTRICT
CHESTERFIELD, VIRGINIA
FOR
PHILLIP COX**

SCALE 1" = 100'

DECEMBER 15, 2003
REV: FEBRUARY 9, 2004
REV: MAY 19, 2004
REV: JUNE 1, 2004
REV: JUNE 8, 2004

CHARLES C. TOWNES & ASSOCIATES, P.C.
CIVIL ENGINEERS - PLANNERS - LAND SURVEYORS
9850 LORI ROAD, SUITE 201
CHESTERFIELD, VIRGINIA

ATTN: PHILLIP COX

DRAWN BY: MEM
APPROVED BY: DP

FB: 2003-25-33

000157



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: June 23, 2004

Item Number: 8.B.14.

Subject: Authorization to Exercise Eminent Domain for the Acquisition of Easements for the Greenfield Drainage Project

County Administrator's Comments: *Recommend Approval*

County Administrator: *YBR*

Board Action Requested: Authorize the County Attorney to proceed with eminent domain and exercise immediate right of entry pursuant to Sections 15.2-1904 and 1905 of the Code of Virginia, and that the County Administrator be instructed to notify the owner by certified mail on June 25, 2004, of the County's intention to take possession of the easements.

Summary of Information:

On January 8, 2002, an offer of \$316.00 was made by the Right of Way Office to Greenfield Associates, PIN: 745715318800000 for the purchase of a variable width permanent drainage easement and a variable width temporary construction easement for the Greenfield Drainage Project. The owner refuses to sign the agreement and since the contract for the installation of the drainage improvements will be awarded today, it is necessary to proceed with eminent domain immediately for the health and safety of the public. Staff will continue to negotiate with the owner in an effort to reach a settlement.

District: Midlothian

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes



No

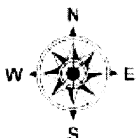
#000158

VICINITY SKETCH

Authorization To Exercise Eminent Domain For The
Acquisition Of Easements For The Greenfield Drainage Project

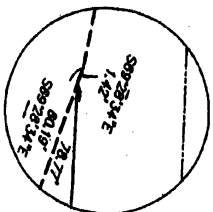
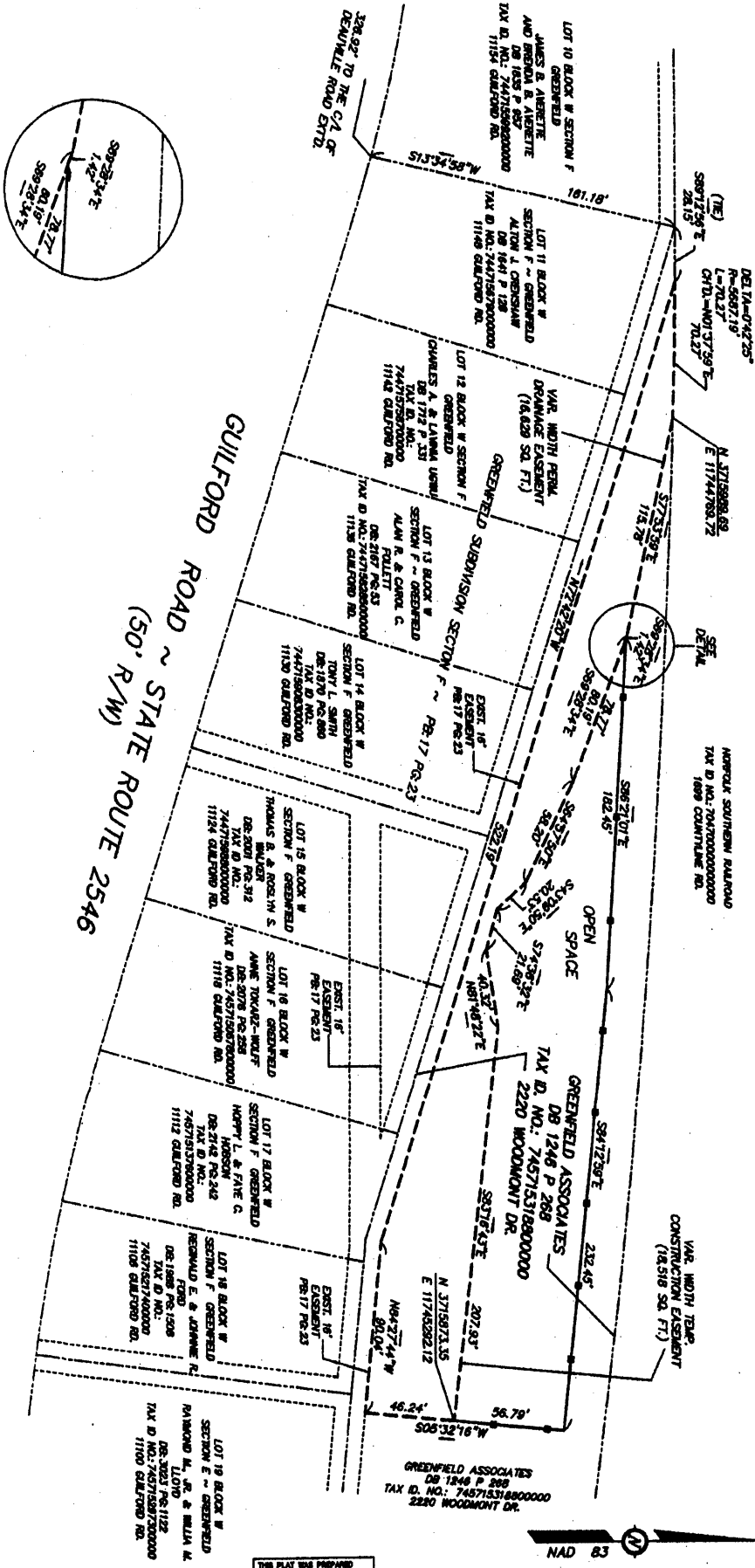


Chesterfield County Department of Utilities



1 inch equals 416.67 feet

000159



NOTES:
ALL EASEMENTS ARE NOT SHOWN ON THIS PLAT.
THIS PLAT DOES NOT REPRESENT A BOUNDARY SURVEY.



PLAT SHOWING A VARIABLE WIDTH PERMANENT
DRAINAGE EASEMENT AND A VARIABLE
WIDTH TEMPORARY CONSTRUCTION EASEMENT
ACROSS THE PROPERTY OF
GREENFIELD ASSOCIATES

MIDDLEBURY DISTRICT ~ CHESTERFIELD CO., VIRGINIA
DATE: FEBRUARY 5, 1999
REV: 5-18-99 (COUNTY COMMENTS)

SCALE: 1"=40'
PROJECT NO.: 16718-06

BY: KSF CHECKED BY: JAW



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: June 23, 2004

Item Number: 8.C.15.

Subject: Acceptance of a Parcel of Land for the Extension of Walmart Way

County Administrator's Comments: *Recommend Approval*

County Administrator: _____

JBR

Board Action Requested: Accept the conveyance of a parcel of land containing 0.318 acres, and authorize the County Administrator to execute the deed.

Summary of Information:

Staff requests that the Board of Supervisors accept the conveyance of a parcel of land containing 0.318 acres for the extension of Walmart Way (State Route 961). This dedication is for the Wal-Mart #1969-02 expansion.

Approval is recommended.

District: Midlothian

Preparer: _____ John W. Harmon

Title: _____ Right of Way Manager

Attachments:



Yes

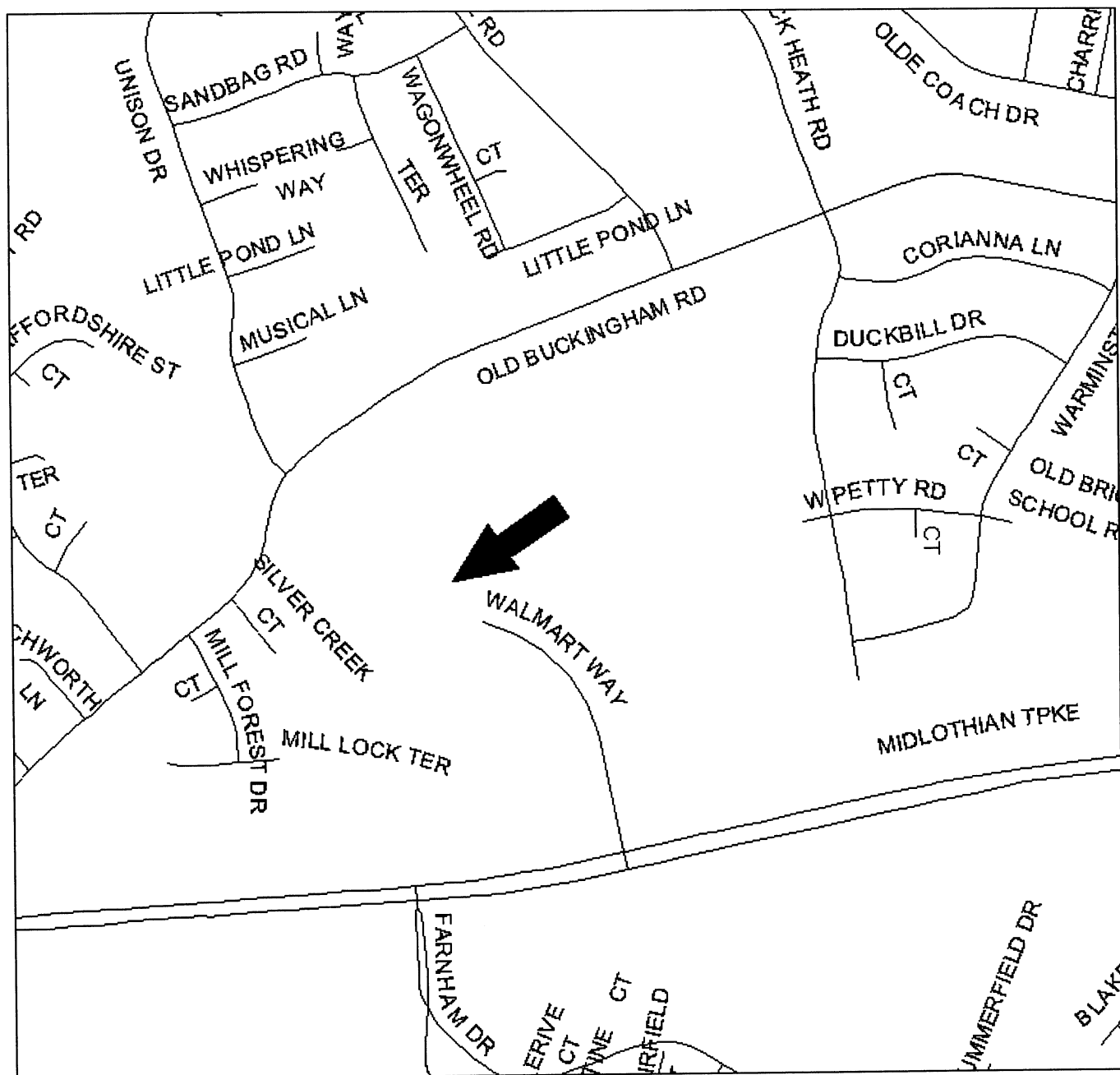


No

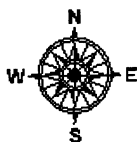
#000161

VICINITY SKETCH

ACCEPTANCE OF A PARCEL OF LAND FOR THE EXTENSION OF WALMART WAY



Chesterfield County Department of Utilities



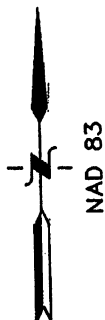
1 inch equals 625 feet



000162

| NO. | BEARING | DISTANCE |
|-----|--------------|----------|
| (1) | S 87°16'19"E | 25.08 |
| (2) | S 7°23'31"W | 107.63 |
| (3) | S 62°54'22"E | 30.36 |
| (4) | S 85°08'37"W | 68.02 |
| (5) | N 7°23'31"E | 80.57 |

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE BINDER. EASEMENTS MAY EXIST THAT ARE NOT SHOWN ON THIS PLAT.



VIRGINIA POWER & ELECTRIC COMPANY
D.B. 2076, PG. 906
TAX ID#: 735709594400000

0.318 ACRE

R=325.00
L=238.53
Δ=42°03'04"
T=124.92
CB=N 13°38'01"W
CH=233.21

R=275.00
L=198.02
Δ=41°15'23"
T=103.52
CB=S 22°29'51"E
CH=193.77

WESLEY C. JR. & JEANNE L. STIGALL
D.B. 1938, PG. 107
TAX ID#: 735709066500000

WAL-MART STORES INC.
D.B. 2304, PG. 825
TAX ID#: 735708114400000

THE PROPERTY REPRESENTED ON THIS PLAT IS NOT INTENDED FOR RESIDENTIAL USE.

P.O.B.

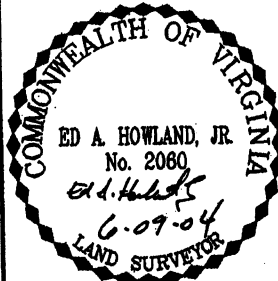
WALMART WAY
STATE ROUTE 961
VARIABLE WIDTH R/W

(TIE LINE)
N 34°44'59"W
1258.67

MIDLOTHIAN TURNPIKE
U.S. ROUTE 60
VARIABLE WIDTH R/W

PLAT SHOWING 0.318 ACRE OF LAND LYING NORTH OF WALMART WAY, STATE ROUTE 961

MIDLOTHIAN DISTRICT * CHESTERFIELD COUNTY, VIRGINIA



THIS IS TO CERTIFY THAT I MADE AN ACCURATE FIELD TRAVERSE OF THE PROPERTY SHOWN. TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE MINIMUM FIELD AND OFFICE PROCEDURES FOR BOUNDARY SURVEYS ESTABLISHED BY THE COMMONWEALTH OF VIRGINIA HAVE BEEN COMPLIED WITH.

Ed A. Howland, Jr.
KOONTZ - BRYANT, P.C.

FLOOD ZONE C - PANEL NO: 510035 0026 B



KOONTZ-BRYANT, P.C.

A Full Service Civil Consulting Firm

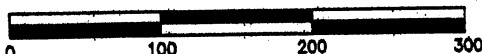
1703 N. PARHAM ROAD, SUITE 202
RICHMOND, VIRGINIA 23229
(804) 740-8200 (804) 740-7338 Fax
kbpc@koontzbryant.com

DATE: JUNE 8, 2004 SCALE: 1" = 100'

CHKD BY: *MRS* DRAWN BY: MRS

JOB NO: 2478

2478ROW9.DWG



040163



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 3

Meeting Date: June 23, 2004

Item Number: 8.B.16.

Subject: Contract Award and Transfer of Funds for the Meadowville Technology Park L2 Industrial Access Project

County Administrator's Comments: *Recommend Approval*

County Administrator: _____ *JSP*

Board Action Requested: The Board is requested to award a contract to Stanley Construction in the amount of \$1,326,002.90; transfer \$295,858 from available Industrial Access Road funds effective July 1, 2004, for the Meadowville Technology Park L2 Industrial Access Project; and authorize the County Administrator to execute all contract documents.

Summary of Information: In February 2002, the Board authorized staff to advertise a road construction contract for the Meadowville Technology Park L2 Industrial Access Project. The Board provided \$500,000 for matching funds and ineligible reimbursement items. The Board also provided \$450,000 for the required VDOT capital investment surety since the County is the developer of the park.

The project was advertised May 7, 2004. Bids were received June 1, 2004. Stanley Construction submitted the low base bid of \$932,235.05 and an add alternate bid of \$393,767.85 for a total bid of \$1,326,002.90. The bid is approximately fourteen percent (14%) higher than the engineer's estimate. The bid results are listed on Attachment A. The project budget is shown on Attachment B.

Preparer: R.J.McCracken

Title: Director of Transportation
agen570

Attachments:



Yes



No

000164

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 3

Recommendation: Staff recommends the Board:

- 1) Award a construction contract to Stanley Construction in the amount of \$1,326,002.90; and
- 2) Transfer an additional \$295,858, after July 1, 2004, from the Industrial Access Account for the project.

District: Bermuda

000165



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 3 of 3

Meeting Date: June 23, 2004

Budget and Management Comments:

This project will construct an access road and include hookup to water and sewer in the Meadowville Technology Park in the Bermuda District. Industrial Access funds in the amount of \$295,858 will be available to transfer for this project after July 1, 2004. Subsequent to this transfer of \$295,858 and \$393,767 being requested from the Utility Inducement Funds (on a separate agenda item for this meeting), this project budget will total \$2,089,625.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000166

June 1, 2004, Bid Summary
Meadowville Technology Park L2 Industrial Access Road

| Contractor | Base Bid | Add Alternate | Total Bid |
|-------------------------|-----------------|----------------------|------------------|
| Stanley Construction | \$932,235.05 | \$393,767.85 | \$1,326,002.90 |
| Interstate Construction | \$1,165,940.00 | \$288,640.00 | \$1,454,580.00 |

ATTACHMENT A

000167

Meadowville Technology Park Industrial Access Project L2 Budget

| ACCESS ROAD | ESTIMATED COST |
|--|-----------------------|
| Preliminary Engineering | \$73,400 |
| Utility Adjustments | \$27,623 |
| Access Road Construction | \$932,235 |
| Water and Sanitary Sewer Lines * | \$393,767 |
| Construction Contingency | \$132,600 |
| Construction Administration and Inspection | \$50,000 |
| Mitigation | \$0 |
| Capital Investment Surety Cost | \$30,000 |
| Capital Investment Surety | \$450,000 |
| Total | \$2,089,625 |

REVENUE

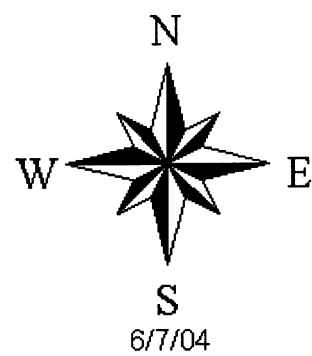
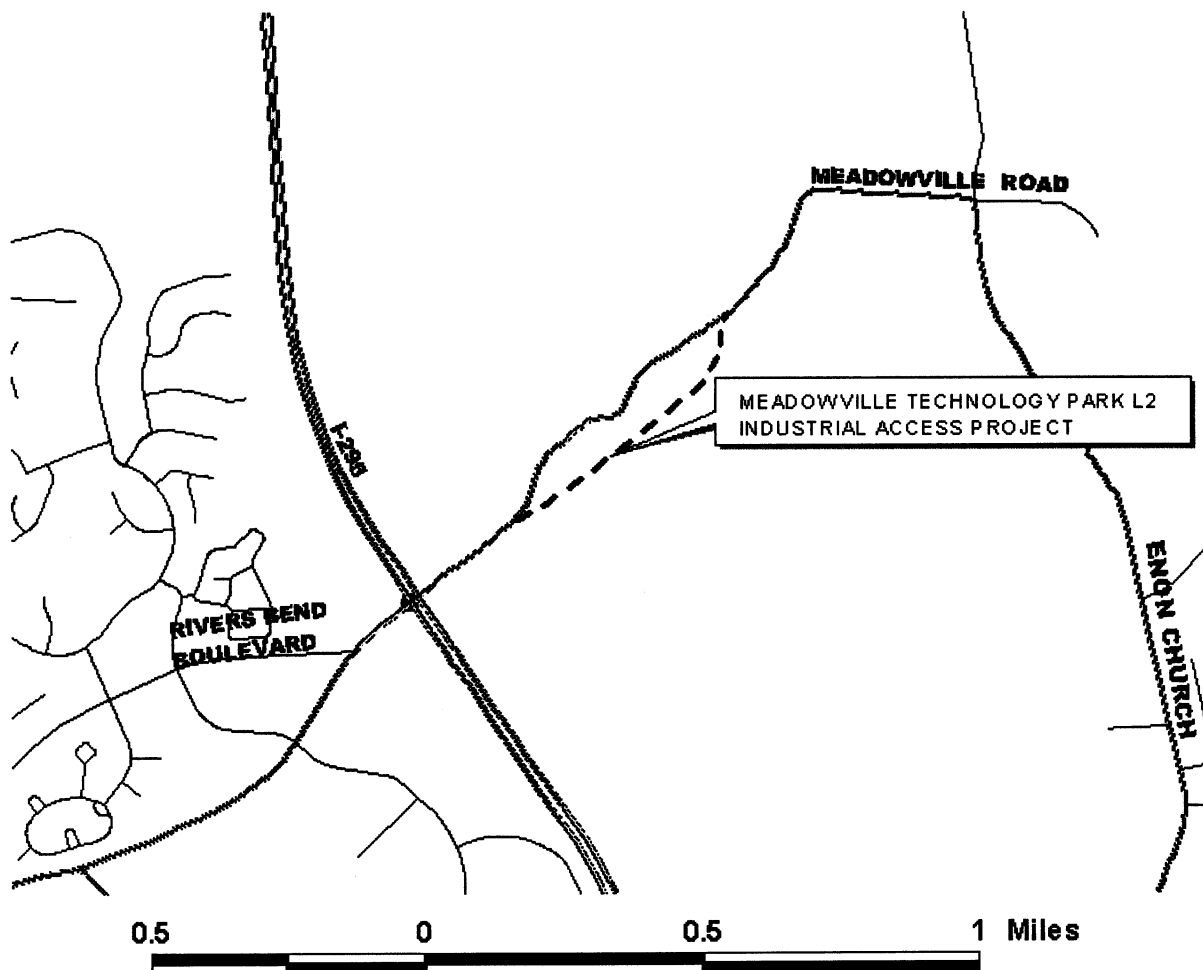
| ACCESS ROAD | |
|---|-------------|
| VDOT Unmatched 2/27/02 | \$300,000 |
| VDOT Match 2/27/02 | \$150,000 |
| County Match (IAF) 2/27/02 | \$150,000 |
| County Unmatched 2/27/02 | \$320,000 |
| County Capital Investment Surety Cost (IAF) 2/27/02 | \$30,000 |
| Utility Inducement Funds * | \$393,767 |
| Additional County Unmatched 6/23/04 | \$295,858 |
| Capital Investment Surety 2/27/02 | \$450,000 |
| Total | \$2,089,625 |

* Ineligible Items

ATTACHMENT B

000168

MEADOWVILLE TECHNOLOGY PARK L2 INDUSTRIAL ACCESS PROJECT



000169



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: June 23, 2004

Item Number: 8.B.17.a.

Subject:

Appropriation of \$487,500 in Medicaid Funds for the Community Services Board

County Administrator's Comments:

Recommend Approval

County Administrator:

ABR

Board Action Requested:

Appropriate \$487,500 in Medicaid funds to address service needs at the Community Services Board (CSB).

Summary of Information:

An additional \$85,000 in Medicaid revenue received over amounts originally budgeted in FY2004 has been received by the Board from the Medicaid transportation program. These funds offset the cost of providing consumer transportation to clients utilizing various CSB services.

Also, \$282,500 in additional Medicaid reimbursement for such services as case management, psychosocial day services, and in home supports have been received and are used to fund salaries and operating costs. Additional MR Waiver funds in the amount of \$120,000 have also been received and are used to finance the cost of consumer services such as day and residential services.

Preparer: Brad Hammer

Title: Deputy County Administrator

Attachments:



Yes



No

#

000170



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

Meeting Date: June 23, 2004

Budget and Management Comments:

This item requests the Board to appropriate \$487,500 in additional Medicaid funds. These additional funds are expected to result in excess revenues over appropriations in FY2004. The funds should be appropriated to cover costs incurred to provide clients of the Community Services Board with transportation, psychosocial day services, home supports, case management and other needed services.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000171



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: June 23, 2004

Item Number: 8.B.17.b.

Subject:

Appropriation of \$402,100 in State and Federal Funds for the Community Services Board

County Administrator's Comments: *Recommend Approval*

County Administrator: _____

[Signature]

Board Action Requested:

Appropriate \$402,100 in State and Federal funds to address service needs at the Community Services Board.

Summary of Information:

Additional State Region IV Reinvestment funds in the amount of \$62,500 have been awarded to the Community Services Board. These funds have been awarded to Chesterfield County's Community Services Board to serve persons with persistent, long-term mental illness. These funds are former State facility dollars transferred to CSBs across the state to provide alternative services to expensive hospitalizations. Amounts not spent at year-end will be reserved and be made available in FY2005.

Also, \$250,000 in additional State funds received to purchase local inpatient services is requested to be appropriated as well as \$89,600 in funds received from final State Chapter 10 and Federal grant awards. These grant funds are used for salaries, substance abuse and prevention services.

Preparer: Brad Hammer

Title: Deputy County Administrator

Attachments:



Yes



No

000172

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

Meeting Date: June 23, 2004

Budget and Management Comments:

This item requests the Board to appropriate \$402,100 in additional state and federal funds. These additional funds are expected to result in excess revenues over appropriations in the Community Services Board budget in FY2004. The funds should be appropriated to cover costs incurred to provide inpatient services to clients, and to provide services to persons with persistent, long-term mental illness in a community setting.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000173



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1


Meeting Date: June 23, 2004

Item Number: 9.

Subject:

Citizen Request to Address the Board Under "Hearings of Citizens on
Unscheduled Matters"

County Administrator's Comments:

County Administrator: _____ 

Board Action Requested:

Summary of Information:

In accordance with Board procedures, Graham D. Rollings, Sr. has requested the opportunity to speak under § 6 of the Board's procedures to address the cost of providing sewer service to Hunters Ridge subdivision. At the request of Hunters Ridge, Utilities staff has provided the neighborhood a cost per home of bringing sewer service to them through an assessment district, in accordance with Board policy. This cost, which is approximately \$16,000 per lot, could be paid by homeowners over a 20-year period. Mr. Rollings is requesting that the County pay some portion of the estimated cost so as to reduce the per lot assessment estimate. This district proposal has not been brought before the Board for consideration, and there are no plans for doing so at this time because of insufficient neighborhood support.

Preparer: _____ Steven L. Micas

Title: County Attorney
0505:65618.1

Attachments:



Yes



No

000174



82ND Airborne

Retired
U.S. Army
Private Investigator

GRAHAM D. ROLLINGS, SR.



173d Airborne

April 23, 2004

The Honorable Rennie Bush Humphrey
Post Office Box 40
Chesterfield, VA 23832

Dear Ms. Humphrey

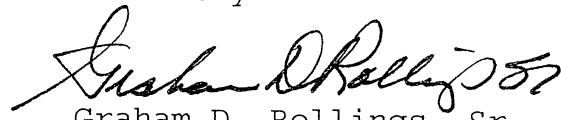
Re: Public Wastewater Service for Hunters Ridge Subdivision
Property GPIN 711-686-8828

In an April 7, 2004, letter from the Utilities Department a quote was given for obtaining sewer service for the Hunters Ridge subdivision. I request the opportunity to speak to the Chesterfield County Board of Supervisors concerning some relief from the stated cost.

Several homeowners in the subdivision are currently experiencing problems with their septic systems; therefore, there seems to be an urgent need to pursue sewer service.

Your assistance with this matter will be greatly appreciated.

Sincerely


Graham D. Rollings, Sr.

cc: The Honorable John C. Watkins
The Honorable R. Lee Ware
The Honorable Kelly E. Miller
Mr. Craig S. Bryant, Director of Utilities





**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 4

Meeting Date: June 23, 2004

Item Number: 10.A.

Subject: Developer Water and Sewer Contracts

County Administrator's Comments:

County Administrator: _____

ABR

Board Action Requested: The Board of Supervisors has authorized the County Administrator to execute water and/or sewer contracts between County and Developer where there are no County funds involved.

The report is submitted to Board members as information.

Summary of Information:

The following water and sewer contracts were executed by the County Administrator:

- Contract Number: 97-0323
Project Name: McLellan Office/Warehouse - Murray Olds Court
Developer: Exact, LLC
Contractor: Piedmont Construction Company, Inc.
Contract Amount: Water Improvements - \$8,890.00
District: Midlothian

Preparer: Craig S. Bryant

Title: Director of Utilities

Attachments:

☐

Yes

☒

No

#

000176

2. Contract Number: 98-0325
Project Name: T. & S. Builders Office/Warehouse
Jefferson Davis Highway
- Developer: T. & S. Builders, LLC
- Contractor: V. E. Alston and Associates
- Contract Amount: Wastewater Improvements - \$12,700.00
- District: Bermuda
3. Contract Number: 01-0449
Project Name: Red Fern Station
- Developer: Harold V. Groome, Jr.
- Contractor: Bookman Construction Company
- Contract Amount: Water Improvements - \$39,930.00
Wastewater Improvements - \$40,585.00
- District: Matoaca
4. Contract Number: 03-0157
Project Name: Kings Grove, Section 1 (Formerly Queen Ann Estate)
- Developer: Curnow Development, Inc.
- Contractor: Shoosmith Brothers Construction Company, Inc.
- Contract Amount: Water Improvements - \$88,000.00
Wastewater Improvements - \$133,000.00
- District: Dale
5. Contract Number: 03-0166
Project Name: Tarrington - Ashwell Drive Extension
- Developer: S. & S. Properties, LC
- Contractor: Piedmont Construction Company, Incorporated
- Contract Amount: Water Improvements - \$110,800.00
Wastewater Improvements - \$25,000.00
- District: Midlothian

000177

6. Contract Number: 03-0238
Project Name: Windy Creek, Section B

Developer: Gills Gate, LLC

Contractor: McLane Construction Company

Contract Amount: Water Improvements - \$28,072.00
Wastewater Improvements - \$28,765.00

District: Dale
7. Contract Number: 03-0279
Project Name: Cameron Bay, Section C

Developer: Cameron Bay, LLC

Contractor: Excalibur Construction Corporation

Contract Amount: Water Improvements - \$12,010.00
Wastewater Improvements - \$17,082.00

District: Matoaca
8. Contract Number: 03-0362
Project Name: 5801, 5811, 5821 and 5831 Jessup Road
Sewer Line Extension

Developer: H. W. I., LLC

Contractor: Bookman Construction Company

Contract Amount: Wastewater Improvements - \$44,650.00

District: Dale
9. Contract Number: 03-0400
Project Name: Cobb's Point, Section 2 Outfall Sewer Line

Developer: Cobb's Point, LLC

Contractor: R. J. Smith Construction, Incorporated

Contract Amount: Wastewater Improvements - \$31,209.68

District: Bermuda

10. Contract Number: 03-0426
Project Name: 1515 Ware Bottom Spring Road - MS Group

Developer: Martha 1985 Chester, LLC

Contractor: Castle Equipment Corporation

Contract Amount: Water Improvements - \$40,410.00
Wastewater Improvements - \$39,251.66

District: Bermuda
11. Contract Number: 03-0352
Project Name: Providence, Section 2

Developer: Centex Homes

Contractor: Piedmont Construction Company

Contract Amount: Water Improvements - \$55,175.00
Wastewater Improvements - \$33,719.25

District: Clover Hill
12. Contract Number: 04-0145
Project Name: Meadowdale Shopping Center - Dollar Tree

Developer: Meadowdale Realty, LLC

Contractor: BTS Construction Company

Contract Amount: Water Improvements - \$2,000.00

District: Dale



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: June 23, 2004

Item Number: 10.B.

Subject:

Status of General Fund Balance, Reserve for Future Capital Projects,
District Improvement Fund, and Lease Purchases

County Administrator's Comments:

County Administrator: _____ *MBR*

Board Action Requested:

Summary of Information:

Preparer: _____ Lane B. Ramsey

Title: _____ County Administrator

Attachments:



Yes



No

#

000180

CHESTERFIELD COUNTY
GENERAL FUND BALANCE
June 23, 2004

| BOARD MEETING DATE | DESCRIPTION | AMOUNT | BALANCE |
|--------------------------|---|-------------|--------------|
| 07/01/03 | FY2004 Budgeted Beginning Fund Balance | | \$42,264,186 |
| 11/25/03 | Designate excess revenue (County) for non-recurring items in FY2005 | (102,908) | \$42,161,278 |
| 11/25/03 | Designate excess expenditures (County) for non-recurring items in FY2005 | (3,133,048) | \$39,028,230 |
| 11/25/03 | Designate excess expenditures (Schools) for non-recurring items in FY2005 | (456,699) | \$38,678,308 |
| 11/25/03 | Designate excess expenditures (Schools) for non-recurring items in FY2004 | (349,922) | \$38,221,609 |
| 11/25/03 | FY03 Results of Operations - Police for use in FY2004 | (100,000) | \$38,121,609 |
| 11/25/03 | FY03 Results of Operations - Fire for use in FY2004 | (100,000) | \$38,021,609 |
| 11/25/03 | FY2004 | (100,000) | \$37,921,609 |
| 11/25/03 | FY03 Results of Operations - MH/MR/SA for use in FY2004 | (43,000) | \$37,878,609 |
| 11/25/03 | FY03 Results of Operations - Projected CSA Shortfall for use in FY2004 | (156,000) | \$37,722,609 |

000181

CHESTERFIELD COUNTY
RESERVE FOR FUTURE CAPITAL PROJECTS
TRADITIONALLY FUNDED BY DEBT
June 23, 2004

| Board Meeting <u>Date</u> | <u>Description</u> | <u>Amount</u> | <u>Balance</u> |
|--|---|---------------|----------------|
| FOR FISCAL YEAR 2003 BEGINNING JULY 1, 2002 | | | |
| 4/10/2002 | FY03 Budgeted Addition | 8,600,000 | 10,111,312 |
| 4/10/2002 | FY03 Capital Projects | (7,277,800) | 2,833,512 |
| 8/28/2002 | Purchase land for athletic facilities at Spring Run Elementary School, closing costs, and environmental assessment | (140,000) | 2,693,512 |
| FOR FISCAL YEAR 2004 BEGINNING JULY 1, 2003 | | | |
| 4/9/2003 | FY04 Budgeted Addition | 9,354,000 | 12,047,512 |
| 4/9/2003 | FY04 Capital Projects | (8,559,300) | 3,488,212 |
| 7/23/2003 | National search for a developer to revitalize the Cloverleaf Mall area | (44,000) | 3,444,212 |
| 10/22/2003 | Debris pick-up program due to Hurricane Isabelle | (1,000,000) | 2,444,212 |
| 4/14/2004 | To General Services for building unexpected repairs and maintenance items incurred during FY04 | (125,000) | 2,319,212 |
| 4/14/2004 | Trf to Sheriff for start-up expenses and capital for new replacement jail project | (260,000) | 2,059,212 |
| 4/14/2004 | Designate funding for police vehicles associated with the new COPS grant. Funds to be transferred to Police in FY2006 | (500,000) | 1,559,212 |

000182

DISTRICT IMPROVEMENT FUNDS

June 23, 2004

| <u>District</u> | <u>Prior Years Carry Over⁽¹⁾</u> | <u>FY2004 Appropriation</u> | <u>Funds Used to Date</u> | <u>Items on 6/23 Agenda</u> | <u>Balance Pending Board Approval</u> |
|--------------------|---|---------------------------------|-------------------------------|---------------------------------|---|
| Bermuda | 57,809 | \$58,500 ⁽²⁾⁽³⁾ | \$104,362 | \$300 | \$11,647 |
| Clover Hill | 63,962 | 48,500 | 68,799 | 300 | 43,363 |
| Dale | 76,268 | 48,500 | 45,699 | 3,300 | 75,769 |
| Matoaca | 53,604 | 48,500 | 40,932 | 2,300 | 58,871 |
| Midlothian | 67,198 | 38,500 ⁽³⁾ | 71,335 | 300 | 34,064 |
| County Wide | - | 13,500 | 0 | 0 | 13,500 |

⁽¹⁾ Includes cancelled projects or reduced costs projects

⁽²⁾ Includes an additional \$20,000 appropriation (\$5,000 from each of the other four districts) to replenish funds.

⁽³⁾ As part of the FY04 budget adoption, \$10,000 was appropriated to the Planning Department for specific land use plans from the Bermuda and Midlothian District Funds.

Prepared by
Accounting Department
May 31, 2004

SCHEDULE OF CAPITALIZED LEASE PURCHASES

APPROVED AND EXECUTED

| <u>Date Began</u> | <u>Description</u> | <u>Original Amount</u> | <u>Date Ends</u> | <u>Outstanding Balance 05/31/04</u> |
|--------------------------------|--|----------------------------|----------------------|---|
| 04/99 | Public Facility Lease – Juvenile Courts Project | \$16,100,000 | 11/19 | \$12,880,000 |
| 06/99 | School Copier Lease #1 – Manchester High School | 43,587 | 05/04 | 878 |
| 1/01 | Certificates of Participation - Building Construction, Expansion and Renovation; Acquisition/Installation of Systems | 13,725,000 | 11/21 | 11,885,000 |
| 03/01 | Telephone System Upgrade | 1,222,411 | 03/05 | 151,300 |
| 04/01 | School Copier Lease #2 – Manchester High School | 20,268 | 03/06 | 8,564 |
| 11/00 | School Copier Lease #3 – Chester Middle School | 20,268 | 09/05 | 6,374 |
| 09/01 | School Server Lease | 278,372 | 07/05 | 113,886 |
| 03/03 | Certificates of Participation – Building Construction, Expansion and Renovation | 6,100,000 | 11/23 | 6,100,000 |
| 03/04 | Certificates of Participation – Building Construction, Expansion and Renovation; Acquisition/Installation of Systems | <u>21,970,000</u> | 11/24 | <u>21,970,000</u> |
| TOTAL APPROVED AND EXECUTED | | <u>\$59,479,906</u> | | <u>\$53,116,002</u> |

PENDING EXECUTION

| <u>Description</u> | <u>Approved Amount</u> |
|--------------------|----------------------------|
| None | |

000184



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: June 23, 2004

Item Number: 14.A.

Subject:

Resolution Recognizing Mr. Barry Lynch for His Heroic Efforts

County Administrator's Comments:

County Administrator: _____

ABR

Board Action Requested:

Mrs. Humphrey requested that the following resolution be adopted.

Summary of Information:

This resolution recognizes Barry Lynch for his quick and heroic response to the emergency needs of another individual.

Preparer: Donald J. Kappel

Title: Director, Public Affairs

Attachments:



Yes



No

#000185

RECOGNIZING MR. BARRY LYNCH FOR HIS HEROIC ACTIONS

WHEREAS, Mr. Barry Lynch is an employee of the Virginia Department of Transportation (VDOT); and

WHEREAS, Mr. Lynch works in Chesterfield County"; and

WHEREAS, VDOT has bestowed its first Medal for Heroism to Mr. Lynch in recognition of his heroic actions on November 12, 2003; and

WHEREAS, on that date, Mr. Lynch was working on a debris-removal operation in the aftermath of Hurricane Isabel; and

WHEREAS, driving a VDOT pickup truck, Mr. Lynch was heading southbound on the Chippenham Parkway"; and

WHEREAS, Mr. Lynch saw a man come running out of the woods, his body engulfed in flames; and

WHEREAS, Mr. Lynch quickly stopped his vehicle, retrieved a fire extinguisher from the pickup truck, and extinguished most of the flames, then, using his bare hands, he extinguished the remaining flames by patting the victim's still-burning and melting clothing, undoubtedly saving the man's life; and

WHEREAS, once the victim's flames were extinguished, Mr. Lynch turned his attention to putting out a fire in the woods; and

WHEREAS, when other help arrived, Mr. Lynch assisted with directing traffic; and

WHEREAS, such courage and selfless service is worthy of appropriate recognition.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 23rd day of June 2004, publicly recognizes Mr. Barry Lynch for his quick and heroic response to the emergency needs of another individual, thanks him for his courage and clear thinking in a life-and-death crisis situation, and expresses its appreciation that Chesterfield County has such outstanding individuals working for VDOT in the county.



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: June 23, 2004

Item Number: 14.B.

Subject:

Resolution Recognizing Mr. David Welchons for Contributions to the Chesterfield/Colonial Heights Board of Social Services

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely of the County Administrator, is written over the line.

Board Action Requested:

The Department of Social Services has requested that the Board of Supervisors commend and recognize David Welchons for outstanding service to the citizens of Chesterfield County and Colonial Heights through representation on the Chesterfield/Colonial Heights Board of Social Services

Summary of Information:

Mr. Welchons was appointed to the Chesterfield/Colonial Heights Board of Social Services in March 1994 and served as chairman from July 2000 through June 2003. Mr. Welchons continued to serve as a member until June 2004, at which time he was no longer eligible for reappointment. His dedication and commitment to the employees of the department, genuine interest and advocacy of the protection of all children, the elderly and disabled and his extraordinary interest in the citizens of Chesterfield and Colonial Heights are commendable.

Preparer: Sarah C. Snead

Title: Director-Social Services

Attachments:



Yes



No

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000187

RECOGNIZING MR. DAVID WELCHONS FOR HIS SERVICE TO THE
CHESTERFIELD/COLONIAL HEIGHTS BOARD OF SOCIAL SERVICES

WHEREAS, the Chesterfield/Colonial Heights Social Services Board is a citizen board established by the Code of Virginia, responsible for oversight and policy guidance to the department in its pursuit of excellence, in providing services to individuals, families and the community; and

WHEREAS, Mr. David Welchons was appointed by the Chesterfield County Board of Supervisors to serve on the Chesterfield/Colonial Heights Board of Social Services in March 1994 and continued in this role until June 2004, having served a total of ten years; and

WHEREAS, Mr. Welchons served as Chairman of the Chesterfield/Colonial Heights Department of Social Services Board from July 2000 through June 2003; and

WHEREAS, Mr. Welchons is a tireless and strong advocate for departmental needs and consistently demonstrates a commitment to all employees of the Chesterfield/Colonial Heights Department of Social Services; and

WHEREAS, under the leadership of Mr. Welchons the department has continued to strive for excellence and to engage in a process of continually seeking to improve; and

WHEREAS, without fail, Mr. Welchons has expressed and demonstrated a constant and genuine interest in and commitment to the protection of all children as well as the protection of the elderly and disabled in this community; and

WHEREAS, during Mr. Welchons' service on the board an award winning adoption initiative was implemented that continues to bring children and adults seeking to be parents together in loving, permanent families; and

WHEREAS, Mr. Welchons encouraged and ensured fiscal responsibility and, specifically during his tenure, the Virginia Initiative for Employment-NOT Welfare (Welfare Reform) was successfully implemented; and

WHEREAS, Mr. Welchons has always had an extraordinary interest in the citizens of Chesterfield County and the City of Colonial Heights and cares deeply about each of these two localities; and

WHEREAS, Mr. Welchons is a pleasure to know and to work with, and as a Board member has been dedicated throughout his tenure.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 23rd day of June 2004, publicly recognizes Mr. David Welchons and commends him for his dedicated and outstanding service to the Social Services Board and all citizens of Chesterfield and Colonial Heights.

000188



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: June 23, 2004

Item Number: 14.C.

Subject:

Recognizing David Patrick Heath, Troop 869, Sponsored by Salisbury Presbyterian Church, Ira David Elias, Troop 835, Sponsored by Hopewell United Methodist Church, and Joseph Thomas Keeler, III, Troop 829, Sponsored by Saint Matthias' Episcopal Church, Upon Attaining Rank of Eagle Scout

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely of the County Administrator, is written over the line.

Board Action Requested:

Adoption of attached resolutions.

Summary of Information:

Staff has received requests for the Board to adopt resolutions recognizing David Patrick Heath, Troop 869, Ira David Elias, Troop 835, and Joseph Thomas Keeler, III, Troop 829, upon attaining the rank of Eagle Scout. All will be present at the meeting, accompanied by members of their family, to accept the resolutions.

Midlothian District

David Patrick Heath
Parents: Perry and Sue

Joseph Thomas Keeler, III
Parents: J.T. and Kathy

Matoaca District

Ira David Elias
Parents: James and Diane

Preparer: Lisa H. Elko

Title: Clerk to the Board

Attachments:



Yes



No

#

000189

RECOGNIZING MR. JOSEPH THOMAS KEELER, III UPON ATTAINING
THE RANK OF EAGLE SCOUT

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to his community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law; and

WHEREAS, Mr. Joseph Thomas Keeler, Troop 829, sponsored by Saint Matthias' Episcopal Church, has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout, which is earned by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through his experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare himself for a role as a leader in society, Trey has distinguished himself as a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 23rd day of June 2004, publicly recognizes Mr. Joseph Thomas Keeler, III, extends congratulations on his attainment of Eagle Scout, and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

RECOGNIZING MR. DAVID PATRICK HEATH UPON ATTAINING
THE RANK OF EAGLE SCOUT

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to his community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law; and

WHEREAS, Mr. David Patrick Heath, Troop 869, sponsored by Salisbury Presbyterian Church, has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout, which is earned by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through his experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare himself for a role as a leader in society, David has distinguished himself as a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 23rd day of June 2004, publicly recognizes Mr. David Patrick Heath, extends congratulations on his attainment of Eagle Scout, and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

RECOGNIZING MR. IRA DAVID ELIAS UPON ATTAINING
THE RANK OF EAGLE SCOUT

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to his community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law; and

WHEREAS, Mr. Ira David Elias, Troop 835, sponsored by Hopewell United Methodist Church, has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout, which is earned by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through his experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare himself for a role as a leader in society, David has distinguished himself as a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 23rd day of June 2004, publicly recognizes Mr. Ira David Elias, extends congratulations on his attainment of Eagle Scout, and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: June 23, 2004

Item Number: 16.A.

Subject:

Public Hearing to Consider Amendments to Section 17-36 of the Subdivision Ordinance, and Sections 19-65, 19-66, 19-100, 19-102, 19-103, 19-107.1, 19-108, 19-144, 19-145, 19-159, 19-172, 19-173, 19-181, 19-227, 19-301, 19-513, 19-514, 19-555, 19-637, 19-638 and 19-650 of the Zoning Ordinance Relating to Clarifications and Corrections of Various Sections of the Zoning Ordinance as well as Revisions to Development Standards

County Administrator's Comments: *Recommend Approval after public hearing*

County Administrator: *JSR*

Board Action Requested:

Staff recommends the Board of Supervisors defer action on amendment 2(b) relative to home occupations until the August 25, 2004 meeting.

The Planning Commission and Staff recommend approval of all other subdivision and zoning ordinance amendments.

Summary of Information:

The Planning Commission held their public hearing on the attached zoning and subdivision ordinance amendments on May 19, 2004. No one spoke in favor of or opposition to any of the amendments. Following the public hearing, the Planning Commission recommended approval of the enclosed zoning and subdivision ordinance amendments.

Subsequent to the Planning Commission public hearing, the Planning and Police Departments have been discussing potential improvements to the ordinance language relative to home occupations. Staff requests the deferral of the

Preparer: Kirkland A. Turner

Title: Director of Planning
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Attachments:



Yes



No

000193

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

amendment to sections 19-65, 19-66, 19-102, 19-103, 19-107.1, 19-108 and the portion of the amendment to section 19-301 relative to home occupations to continue those discussions.

The Planning Department has a continuing project to update the zoning and subdivision ordinances in response to the needs of our citizens, the development community and code enforcement activities. This is the second in an ongoing series of such amendments.

A summary sheet and the detailed ordinance language for twenty (20) miscellaneous zoning and subdivision amendments are attached to this agenda item. The majority of the amendments reflect current practice, ordinance interpretations and clarification of existing language. Other amendments are designed to lessen the impact of certain home occupations on surrounding neighborhoods, regulate accessory building setbacks based on building height, improve code enforcement for certain signs and expand the use of administrative variances as permitted by the Code of Virginia.

000194

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY
OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING
AND RE-ENACTING THE FOLLOWING SECTIONS:

1. Changes reflecting clarification, correction and minor changes: **17-36** to delete the requirement for residential zoning prior to modifying existing subdivision lots with A zoning; **19-65**, **19-102**, **19-107.1** and **19-301** to improve ordinance formatting and clarity, yard sale restrictions are moved from definitions to restricted uses in R, R-TH and R-MF districts; **19-100** to clarify that the Board of Supervisors may grant permits for the location of manufactured homes in R-7 districts; **19-102** to clarify that a model home cannot be used as a rental office in R-TH districts; **19-144** and **19-145** to improve ordinance formatting, commercial parking lots are moved from permitted to restricted uses in C-1 districts; **19-145** to codify an interpretation permitting micro-breweries as accessory to restaurants; **19-159** to reformat standards for continuous outdoor display in C-3 districts; **19-172** and **19-173** to eliminate a duplicate listing of indoor recreation uses; to improve ordinance formatting, drive in theaters and truck terminals are moved from permitted to restricted uses in C-5 districts; **19-181** to reformat standards for utility uses and temporary mobile homes and to clarify that permitted and restricted uses in C-1 districts are restricted uses in I-1 districts; **19-227** to update the list of schools for which a nearby business needs a conditional use for the sale of alcoholic beverages due to school name changes and the demolition of a school; **19-301** to codify an interpretation that defines dry cleaning plants; **19-513** to reduce parking requirements for senior housing, assisted living, indoor sports field, warehousing, wholesale houses and distributors; **19-514** to permit flexibility for parking/vehicle stacking at day care centers; **19-638** to correct spelling in standards relative to banners.

2. Changes to development standards: **19-65**, **19-66**, **19-102**, **19-103**, **19-107.1**, **19-108** and **19-301** to improve ordinance formatting, home occupations are moved from accessory to restricted uses; dance studios, private clubs, trash collection and automotive repair are prohibited as home occupations; standards are moved from definitions to restricted uses in R, R-TH and R-MF districts; and restrictions for customers, storage, vehicle parking and residency requirements are added; **19-173** to permit utility truck and trailer sales, service and repair in addition to rental in C-5 districts; **19-301** to expand the amount of a building setback variance that may be granted by the director of planning; **19-555** to regulate setbacks for accessory buildings in R, R-TH, R-MF, MH and A districts by building height rather than number of stories; **19-637** to require signs on the interior of a building that are legible from outside to comply with same standards for window mounted; and **19-650** to require a business that closes to remove the entire above ground sign structure within twelve (12) months of closing

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That Sections 17-36, 19-65, 19-66, 19-100, 19-102, 19-103, 19-107.1, 19-108, 19-144, 19-145, 19-159, 19-172, 19-173, 19-181, 19-227, 19-301, 19-513, 19-514, 19-555, 19-637, 19-638 and 19-650 of the Code of the County of Chesterfield, 1997, as amended, are amended and re-enacted to read as follows:

[Amendment 1. (a)]

Sec. 17-36. Recordation of subdivision plat prior to compliance with zoning ordinance prohibited.

(a) Except as noted in sub-section (b), N no plat for a lot subdivision shall be recorded unless the land is included within a residential, or townhouse residential zoning district, or is a residential use in a commercial zoning district as defined by chapter 19 of this Code.

(b) Lots within a subdivision that was previously recorded in an agricultural zoning district, may be resubdivided or amended provided no additional building lots are created.

[Amendment 1. (b)]

Sec. 19-65. Uses permitted with certain restrictions.

The following uses shall be permitted in the R-88 District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

(c) Yard sales, ~~as accessory to a principal use~~, provided that the sale:

(1) Is accessory to a principal use on the same property.

(2) ~~they do~~ Does not exceed two days in duration,

(3) Is conducted by the owner or lessee of the property on which it occurs and includes only personal property owned by the seller and usual to a household, and

(4) Does not occur on the same property more than four times in any one calendar year and not more than twice within a 30-day period.

Sec. 19-102. Uses permitted with certain restrictions.

The following uses shall be permitted in the R-TH District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

- (c) Yard sales, provided that the sale:
 - (1) Is accessory to a principal use on the same property,
 - (2) Does not exceed two days in duration,
 - (3) Is conducted by the owner or lessee of the property on which it occurs and includes only personal property owned by the seller and usual to a household, and
 - (4) Does not occur on the same property more than four times in any one calendar year and not more than twice within a 30-day period.

Sec. 19-107.1. Uses permitted with certain restrictions.

The following uses shall be permitted in the R-MF District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

- (b) Yard sales, provided that the sale:
 - (1) Is accessory to a principal use on the same property,
 - (2) Does not exceed two days in duration,
 - (3) Is conducted by the owner or lessee of the property on which it occurs and includes only personal property owned by the seller and usual to a household, and
 - (4) Does not occur on the same property more than four times in any one calendar year and not more than twice within a 30-day period.

Section 19-301. Definitions

o o o

Yard sale: A sale, ~~not more than two days in duration,~~ of personal property owned by the seller and usual to a household. ~~Such sale is conducted by the owner or lessee of the property on~~

~~which it occurs. Such sale does not occur on the same property more than four times in any one calendar year and not more than twice within a 30-day period.~~ The word "yard sale" includes garage sale, lawn sale, attic sale, rummage sale, or any similar casual sale of tangible property which is advertised by any means whereby the public at large is or can be made aware of the sale.

o o o

[Amendment 1. (c)]

Section 19-100. Manufactured homes prohibited except under certain conditions.

The board of supervisors may grant a permit, with or without conditions, for the ~~original~~ location of a temporary manufactured home in an R-7 District and the permit shall specify the location of such home on the premises and shall assure compliance with county health and sanitary requirements. The permit shall be valid for up to seven years. At the expiration of the time specified on the permit, an application may be made for renewal of the manufactured home permit.

[Amendment 1. (d)]

Sec. 19-102. Uses permitted with certain restrictions.

The following uses shall be permitted in the R-TH District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

- (a) Model homes, provided that:
 - (1) In addition to its permanent use as a dwelling, such home may be used as a temporary real estate office
 - (2) The temporary real estate office is only used to market the development in which the dwelling is located and:
 - a. Is not used for the sale of lots or houses outside of the platted subdivision in which it is located
 - b. Is not used for the rental of homes outside of the platted subdivision in which it is located and/or
 - c. Is not used for a rental office for homes inside of the platted subdivision in which it is located except to market the homes when they are initially constructed

- (3) The temporary real estate office is incidental to construction activity taking place in the development.
- (4) The dwelling is not the primary real estate office for the company marketing the subdivision.
- (5) The dwelling is not used as a construction office or for the storage of construction equipment and/or materials.

o o o

[Amendment 1. (e)]

Sec. 19-144. Permitted uses by right.

Within any C-1 District, no buildings, structures or premises shall be used, arranged or designed to be used except for one or more of the following uses:

o o o

- ~~(i)~~ ~~Commercial parking lots within the Ettrick Village Core.~~
- ~~(j)~~(i) Convenience store.
- ~~(k)~~(j) Drugstore/pharmacy.
- ~~(l)~~(k) Dry cleaning, pick-up and drop-off; coin-operated dry cleaning; pressing; laundry and laundromat; not to include dry cleaning plants.
- ~~(m)~~(l) Florist shop.
- ~~(n)~~(m) Grocery store.
- ~~(o)~~(n) Hardware store.
- ~~(p)~~(o) Nursery schools and child or adult care centers and kindergartens.
- ~~(q)~~(p) Offices.
- ~~(r)~~(q) Restaurants, not including fast food or carry-out restaurants.
- ~~(s)~~(r) Shoe repair shop.
- ~~(t)~~(s) Shopping centers.
- ~~(u)~~(t) Tailoring and dressmaking shops.

~~(v)~~(u) Massage clinics.

~~(w)~~(v) Underground utility uses when such uses are located in easements or in public road rights-of-way, except as provided in section 19-145(a).

~~(x)~~(w) Video rental and sales store.

Sec. 19-145. Uses permitted with certain restrictions.

The following uses shall be permitted in the C-1 District subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to the provisions of section 19-13:

o o o

(f) Commercial parking lots provided they are within the Ettrick Village Core.

[Amendment 1. (f)]

Sec. 19-145. Uses permitted with certain restrictions.

The following uses shall be permitted in the C-1 District subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to the provisions of section 19-13:

o o o

(g) Micro-breweries provided that:

(1) The use in accessory to a restaurant, and

(2) No odor or similar adverse impact from the use is evident on adjacent properties.

[Amendment 1. (g)]

Sec. 19-159. Uses permitted with certain restrictions.

The following uses shall be permitted in the C-3 District subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to the provisions of section 19-13:

o o o

- (i) Continuous outside display of merchandise for sale, as accessory to a permitted use, provided that:
 - (1) merchandise shall be located under a covered pedestrian way that does not exceed 16 feet in width;
 - (2) no more than five percent of the gross floor area of the principal use shall be used for outside display purposes; and
 - (3) merchandise is displayed so that it does not obstruct pedestrian access.

o o o

[Amendment 1. (h)]

Sec. 19-172. Permitted uses by right.

Within any C-5 District, no buildings, structures or premises shall be used, arranged or designed to be used, except for one or more of the following uses:

o o o

~~(f) Recreational establishments, commercial indoor.~~

~~(g)~~(f) Wholesale trade of any products permitted to be sold at retail in this district.

~~In addition to the above uses, within a C-5 District, which is located outside of the boundaries of the Eastern Midlothian Turnpike Corridor, no buildings, structures or premises shall be used, arranged or designed to be used, except for one or more of the following uses:~~

~~(h) Drive-in theaters.~~

~~(i) Truck terminals.~~

Sec. 19-173. Uses permitted with certain restrictions.

The following uses shall be permitted in the C-5 District, subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to the provisions of section 19-13:

o o o

- (u) Drive-in theaters, provided they are located outside of the boundaries of the Eastern Midlothian Turnpike Corridor.
- (v) Truck terminals, provided they are located outside of the boundaries of the Eastern Midlothian Turnpike Corridor.

[Amendment 1. (i)]

Sec. 19-181. Uses permitted with certain restrictions.

The following uses shall be permitted in the I-1 District subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to the provisions of section 19-13:

o o o

- (b) Uses permitted by right and with restrictions in the C-1 District, artist material and supply stores, health clubs, messenger or telegraph services and office supply stores provided that:

o o o

- (d) Public and private utility uses, so long as they require a structure, to include all water and waste water pumping stations; electric, gas, communications and natural gas, liquefied petroleum gas (LPG) and petroleum products transmission facilities; in addition, natural gas, liquefied gas and petroleum products transmission facilities above and below ground, provided that all such uses which are visible from adjacent R, R-TH, R-MF or O Districts or properties zoned Agricultural (A) and shown on the comprehensive plan as residential or office uses shall be:

- (1) enclosed within a structure having a style and character compatible with surrounding residential or office structures or
- (2) ~~shall be~~ completely screened from view from such adjacent properties.

o o o

- (g) One temporary mobile home, provided that:
 - (1) a mobile home has been legally on the property within the past six months and
 - (2) the board of supervisors grants a mobile home permit to allow the use to continue.

[Amendment 1. (j)]

Section 19-227. Sale of alcoholic beverages near schools.

(a) Notwithstanding any provisions in this chapter to the contrary, a conditional use permit shall be required for all commercial establishments seeking to sell alcoholic beverages, as defined in Code of Virginia, § 4.1-100, for on-premises consumption, within 500 linear feet of a school that is owned or operated by the county and that is built after December 15, 1993.¹

¹This section does not apply to the following schools: Bailey Bridge Middle, Bellwood Elementary, Bensley Elementary, Bermuda Elementary, Beulah Elementary, L.C. Bird High, Bon Air Elementary (IDC), Bon Air (Primary) Elementary, ~~Carver Middle~~, Chalkley Elementary, Chester Middle, Chesterfield Community High, Chesterfield Technical, Clover Hill Elementary, Clover Hill High, Thelma Crenshaw Elementary, Crestwood Elementary, Curtis Elementary, A.M. Davis Elementary, Dupuy Elementary (Ettrick Annex), Ecoff Elementary, Enon Elementary, Ettrick Elementary, Evergreen Elementary, Falling Creek Elementary, Falling Creek Middle, Fulghum Center, O.B. Gates Elementary, W.W. Gordon Elementary, Grange Hall Elementary, Greenfield Elementary, Harrowgate Elementary, ~~O.J. G. Henning Elementary~~, Hopkins Elementary, Jacobs Elementary, ~~Kingsland Elementary~~, Manchester High, Manchester ~~(High)~~ Middle, Matoaca Elementary, Old Matoaca High, Matoaca Middle, Meadowbrook High, Midlothian Elementary (Swift Creek Middle Annex), Midlothian Middle ~~(High)~~, Midlothian High, Monacan High, Perrymont Middle, Providence Elementary, Providence Middle, Reams Elementary, Robious Elementary, Robious Middle, Salem Elementary, Salem Middle, Alberta Smith Elementary, Swift Creek Elementary, Swift Creek Middle, Thomas Dale High, Union Branch Elementary, Union Grove Elementary, Vehicle Maintenance (Courthouse), Vehicle Maintenance (Walmsley), J.B. Watkins Elementary, C.C. Wells Elementary, Winterpock Elementary, Woolridge Elementary.

[Amendment 1. (k)]

Section 19-301. Definitions

o o o

Dry cleaning plant: A facility where clothes that have been dropped off at another location are taken for cleaning. After cleaning, the clothes are typically returned to the drop off point for customer pick-up.

o o o

[Amendment 1. (l)]

Sec. 19-513. Parking spaces required.

Except as provided for in section 19-608(a), the minimum number of parking spaces to be provided for each use shall be as follows:

| <i>Use</i> | <i>Number of Spaces</i> |
|--|---|
| (a) Residential and Lodging: | |
| (1) <u>Except as noted in subsections 2 and 3, D dwellings, to include single-family, two-family, multifamily, townhouses and manufactured homes outside of MH-1 zoning districts</u> | 2 for each dwelling unit |
| (2) <u>Dwellings, multifamily restricted to "housing for older persons" as defined in the Virginia Fair Housing Law with no persons under 19 years of age domiciled therein.</u> | <u>1.2 spaces for each dwelling unit</u> |
| (3) <u>Dwellings, multifamily assisted living</u> | <u>0.8 spaces for each dwelling unit</u> |
| (2) (4) Motels, hotels, boardinghouses With lounges/restaurant With meeting facilities | 1 per bedroom Add 1 per 150 square feet for such area Add 1 per 3 seats for such area |
| (3) (5) Rest homes and nursing homes | 1 for each 4 beds |
| o o o | o o o |
| (e) Recreational: | |
| o o o | o o o |
| (7) <u>Indoor athletic fields without spectator seating</u> | <u>45 spaces for each field</u> |
| (7) (8) Other indoor commercial recreational facilities | 1 for each 200 square feet of gross floor area |
| (8) (9) Go kart, bumper boats and | 1 for each 3 boats/karts that can be |

| | |
|--|---|
| similar facilities | accommodated on the track/water at any one time |
| (9)(10) Sports/play fields | 30 for each field |
| o o o | o o o |
| (h) Business and Industrial: | |
| o o o | o o o |
| (7) Warehousing, wholesaling houses and distributors | 1 per employee, plus 1 per 1,000 <u>200</u> square feet of gross floor area <u>for front counter sales and stock area</u> , plus 1 per company vehicle (spaces to be computed on maximum numbers of employees on-site at any one time) |
| o o o | o o o |

[Amendment 1. (m)]

Sec. 19-514. Design standards for off-street parking.

o o o

(e) *Stacking lane requirements.* Stacking space shall be provided for any use having drive-through facilities or areas having drop-off and pick-up areas. Stacking spaces shall have a minimum length of 18 feet. Stacking spaces shall conform to the parking setback for the district in which the use is located. Stacking spaces shall be designed so as not to impede on- and off-site traffic movement or movement into and out of parking spaces. Stacking spaces shall be separated from other internal driveways with raised medians, as deemed necessary for traffic movement or safety, at the time of site plan review. Stacking spaces shall be provided as follows:

o o o

- (2) *Nursery schools and child and adult care centers:* Parking areas and driveways for nursery schools and child and adult care center activities shall be designed to provide an area for drop-off and pick-up. This area shall be connected to the main building by a sidewalk so that children need not to cross any driveway. Driveways, entrances and exits should be designed to maximize pedestrian safety.

- a. Where drop off and pick up is provided directly from vehicles, stacking space shall be provided.
- b. Where drop off and pick up is not provided directly from vehicles, stacking space need not be provided if five (5) additional parking spaces are provided.

- c. ~~Further, i~~ If school age children are cared for, a sidewalk shall be provided from the building to an approved school bus pick-up and drop-off area.

o o o

[Amendment 1. (n)]

Sec. 19-638. Banners.

Banners do not require sign permits and are allowed so long as:

o o o

- (b) A single banner not to exceed 50 square feet in area may be used to advertise a new business which has not installed ~~it's~~ its permanent signs, provided the banner is used for one time period not to exceed 30 consecutive days

o o o

[Amendment 2. (a) . . . Amendment under review by the Chesterfield Planning Commission]

[Amendment 2. (b)]

Sec. 19-65. Uses permitted with certain restrictions.

The following uses shall be permitted in the R-88 District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

(d) Home occupation, provided that:

- (1) The use is conducted solely by one or more members of a family that live on the premises,
- (2) The use is within a dwelling, accessory structure or both provided that the total area for the use does not exceed 25% of the floor of the dwelling or 250 square feet, whichever is greater,
- (3) The use is clearly incidental and secondary to the use of the property for dwelling purposes and no external alterations, which would cause the premises to differ from its residential character by the use of colors,

materials, lighting, or construction, are permitted. Additionally, no construction of additions or accessory structures for the operation of the home occupation is permitted,

- (4) No commodity is stored or sold on the premises except for light inventory that does not exceed 20 square feet and can be stored in a closet or cabinet,
- (5) No more than one vehicle (motor vehicle or trailer) used in conjunction with the home occupation is parked on the premises. No equipment shall be stored outside the dwelling or accessory structures that would indicate that a business is being conducted on site except for equipment stored on the vehicle used in conjunction with the business. The vehicle and equipment for a home occupation shall be parked on the premises where the home occupation is conducted, and
- (6) No assembly or group instruction shall be permitted with a home occupation. Individual instruction on a one to one basis is permitted. Only one client may be on the property at any one time.

Sec. 19-66. Accessory uses, buildings and structure.

The following accessory uses, buildings and structures shall be permitted in the R-88 District:

o o o

- ~~(b)~~ (b) ~~Home occupations.~~
- ~~(e)~~(b) Tennis courts and similar recreational facilities.
- ~~(d)~~(c) Swimming pools and adjoining deck areas; provided that no swimming pool wall shall be located within six feet of an adjacent lot or parcel nor in a required front or corner side yard.
- ~~(e)~~(d) Temporary buildings or trailers devoted to purposes incidental to construction activities taking place on the premises; provided that such buildings or trailers shall be removed upon completion or abandonment of the work.
- ~~(f)~~(e) Signs.
- ~~(g)~~(f) Other accessory uses, buildings and structures not otherwise prohibited, customarily accessory and incidental to any permitted use.

Sec. 19-102. Uses permitted with certain restrictions.

The following uses shall be permitted in the R-TH District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

(d) Home occupation, provided that:

- (1) The use is conducted solely by one or more members of a family that live on the premises,
- (2) The use is within a dwelling, accessory structure or both provided that the total area for the use does not exceed 25% of the floor of the dwelling or 250 square feet, whichever is greater,
- (3) The use is clearly incidental and secondary to the use of the property for dwelling purposes and no external alterations, which would cause the premises to differ from its residential character by the use of colors, materials, lighting, or construction, are permitted. Additionally, no construction of additions or accessory structures for the operation of the home occupation is permitted,
- (4) No commodity is stored or sold on the premises except for light inventory that does not exceed 20 square feet and can be stored in a closet or cabinet,
- (5) No more than one vehicle (motor vehicle or trailer) used in conjunction with the home occupation is parked on the premises. No equipment shall be stored outside the dwelling or accessory structures that would indicate that a business is being conducted on site except for equipment stored on the vehicle used in conjunction with the business. The vehicle and equipment for a home occupation shall be parked on the premises where the home occupation is conducted, and
- (6) No assembly or group instruction shall be permitted with a home occupation. Individual instruction on a one to one basis is permitted. Only one client may be on the property at any one time.

Sec. 19-103. Accessory uses, buildings and structures.

The following accessory uses, buildings and structures shall be permitted in the R-TH District:

o o o

(d) ~~Home occupations.~~

- ~~(e)~~(d) Temporary buildings or trailers devoted to purposes incidental to construction activities taking place on the premises; provided that such buildings and trailers shall be removed upon completion or abandonment of such work.
- ~~(f)~~(e) Buildings and structures devoted to maintenance and groundskeeping purposes and equipment storage.
- ~~(g)~~(f) Signs.
- ~~(h)~~(g) Other accessory uses, buildings and structures not otherwise prohibited, customarily accessory and incidental to any permitted use.

Sec. 19-107.1. Uses permitted with certain restrictions.

The following uses shall be permitted in the R-MF District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

- (c) Home occupation, provided that:
 - (1) The use is conducted solely by one or more members of a family that live on the premises,
 - (2) The use is within a dwelling, accessory structure or both provided that the total area for the use does not exceed 25% of the floor of the dwelling or 250 square feet, whichever is greater,
 - (3) The use is clearly incidental and secondary to the use of the property for dwelling purposes and no external alterations, which would cause the premises to differ from its residential character by the use of colors, materials, lighting, or construction, are permitted. Additionally, no construction of additions or accessory structures for the operation of the home occupation is permitted,
 - (4) No commodity is stored or sold on the premises except for light inventory that does not exceed 20 square feet and can be stored in a closet or cabinet,
 - (5) No more than one vehicle (motor vehicle or trailer) used in conjunction with the home occupation is parked on the premises. No equipment shall be stored outside the dwelling or accessory structures that would indicate that a business is being conducted on site except for equipment stored on the vehicle used in conjunction with the business. The vehicle and equipment for a home occupation shall be parked on the premises where the home occupation is conducted, and

- (6) No assembly or group instruction shall be permitted with a home occupation. Individual instruction on a one to one basis is permitted. Only one client may be on the property at any one time.

Sec. 19-108. Accessory uses, buildings and structures.

The following accessory uses, buildings and structures shall be permitted in the R-MF District:

- (a) Private garages, gardens, tool and storage buildings. No shipping containers, trailers, vehicle bodies or similar containers shall be used for these purposes.
- ~~(b)~~ ~~Home occupations.~~
- ~~(c)~~(b) Recreational facilities as required for the project and that primarily serve the surrounding residential community.
- ~~(d)~~(c) Management office and maintenance buildings for the project.
- ~~(e)~~(d) Temporary buildings or trailers devoted to purposes incidental to construction activities taking place on the premises; provided that such buildings or trailers shall be removed upon completion or abandonment of such work.
- ~~(f)~~(e) Signs.
- ~~(g)~~(f) Other accessory uses, buildings and structures not otherwise prohibited, customarily accessory and incidental to any permitted use.

Section 19-301. Definitions

O O O

Home occupation: Any occupation, profession, enterprise or activity conducted solely by one or more members of a family living on the premises which is incidental and secondary to the use of the premises as a dwelling, including but not limited to the home office of a member of a recognized or licensed profession, such as an attorney, physician, dentist, certified massage therapist as defined in County Code § 15-91, musician, artist, real estate salesperson or broker, or engineer ; ~~provided that:~~ .

- ~~(1) Not more than the equivalent area of one quarter of one floor shall be used for such purpose;~~
- ~~(2) Such occupation shall not require external alterations;~~
- ~~(3) No commodity is stored or sold, except those made on the premises;~~

- (4) ~~There shall be no group instruction, assembly or activity, and no display that will indicate from the exterior that the building is being used in part for any purpose other than that of a dwelling; and~~
- (5) ~~Only one motor vehicle used in conjunction with the home occupation is parked on the premises.~~

Permitted home occupations shall not include animal hospitals or kennels, beauty parlors, barbershops, dance studios, motor vehicle repair, motor vehicle towing, motor vehicle painting or body work, motor vehicle detailing, nursing homes, convalescent homes, rest homes, private clubs, tourist homes, trash collection or similar establishments offering services to the general public.

o o o

[Amendment 2. (c)]

Sec. 19-173. Uses permitted with certain restrictions.

The following uses shall be permitted in the C-5 District, subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to the provisions of section 19-13:

o o o

- (t) Utility trailer and truck sales, service, repair and rental, provided that such use is not located in the Eastern Midlothian Turnpike Corridor.

[Amendment 2. (d) . . . Amendment under review by the Chesterfield Planning Commission]

[Amendment 2. (e)]

Sec. 19-301. Definitions.

o o o

Variance, administrative: A variance from any building setback requirement which may be granted by the director of planning with the following restrictions:

- (1) ~~The amount of the variance shall be limited to a maximum of ten feet or 50 percent of the required setback, whichever is greater, and~~
- ~~(2)~~(1) The director of planning must find in writing that:

- (a) The strict application of the ordinance requirement would produce undue hardship;
- (b) Such hardship is not shared generally by other properties in the same zoning district and the same vicinity; and
- (c) The authorization of such variance will not be of substantial detriment to adjacent property and the character of the zoning district will not be changed by granting the variance.

o o o

[Amendment 2. (f)]

Sec. 19-555. Required yards for accessory buildings and structures in R, R-TH, MH and A Districts.

Except as indicated in this section, the yard requirements for permitted uses shall apply to the accessory buildings and structures.

- (1) In R, MH-2 and A Districts and in R-TH Districts identified in section 19-106, ~~one-story~~ detached accessory buildings less than 12 feet in height, accessory structures which have a roof or any structures specified in section 19-507(f) except amateur radio antennas in excess of 50 feet in height shall observe a side yard setback not less than half the required side yard for a permitted use; a front yard setback of the lesser of half the average depth of the lot or 80 feet; and a rear yard setback of not less than ten feet; except that an accessory building or structure which as a roof located on a through lot shall meet a rear yard setback of not less than 30 feet and an accessory building or structure which has a roof located on a corner lot shall observe a corner side yard setback not less than the required front yard setback for a permitted use.

o o o

- (3) In R, MH-2 and A Districts and lots in R-TH Districts identified in section 19-106, a detached accessory building having ~~more than one story~~ a height of 12 feet or greater shall observe an interior side yard not less than the side yard required ~~of the for a~~ permitted use; a rear yard setback of not less than half the required rear yard for a permitted use, except that a building located on a through lot shall meet a rear yard setback of not less than 30 feet; a corner side yard setback of not less than the front yard requirement for a permitted use; and a front yard setback the lesser of half of the average lot depth ~~of the lot~~ or 80 feet.

o o o

[Amendment 2. (g)]

Sec. 19-637. Limitation on specific signs.

o o o

- (q) Signs attached to, or visible through, doors or windows that are legible from outside the building shall not exceed 15 square feet or 25 percent of the total window and door area located on any one face of the building, whichever is less. Further, signs ~~in~~ which are mounted on doors or windows shall be located within the top half of the door or window.

o o o

[Amendment 2. (h)]

Sec. 19-650. Nonconforming and illegal signs.

o o o

- (h) A business that has closed shall be required to remove any onsite or offsite signs, including all structural elements down to the ground level, associated with the business within 12 months of the date the business closed.

o o o

- (2) *That this ordinance shall become effective immediately upon adoption.*

| Amendment number | recommend. 6/23/94 | CPC results 5/18/04 | Type change | Changes to | Ordinance section(s) | Need for amendment |
|--|--------------------|---------------------|------------------|------------|--|---|
| Changes reflecting clarification, correction or minor adjustments | | | | | | |
| 1. (a) | Approval | Approval | Customer service | Standard | 17-36 Recordation of subdivision plat... | This section prohibits the recordation of subdivision lots in A districts. A number of older subdivisions were recorded with A zoning. Lots in those subdivisions cannot be amended or modified without re-zoning. This amendment will allow modification of lots in subdivisions with A zoning provided no new lots are created. |
| 1. (b) | Approval | Approval | Clarification | None | 19-65, 19-102, 19-107.1 and 19-301 Restricted uses in R-88, R-TH, R-MF districts and the definition of yard sale | Specific restrictions for yard sales are being moved from definitions to restricted uses in R, R-TH and R-MF districts in order to clarify the requirements for the use. |
| 1. (c) | Approval | Approval | Clarification | None | 19-100 Manufactured homes in R-7 districts | This amendment will clarify ordinance language to address the long standing practice of granting new manufactured home permits to individuals when the owner of the property changes. |
| 1. (d) | Approval | Approval | Clarification | None | 19-102 Uses permitted with certain restrictions in R-TH districts. | This section permits model homes under certain conditions. The code compliance branch has used this section to prohibit model homes from being used as long term rental offices in R-TH projects and requests the section be clarified to assist in future code compliance actions. |
| 1. (e) | Approval | Approval | Correction | None | 19-144 and 19-145 Permitted and restricted uses in C-1 districts. | Commercial parking lots are moved from permitted to restricted uses in C-1 districts consistent with the ordinance format. |
| 1. (f) | Approval | Approval | Interpretation | None | 19-145 Restricted uses in C-1 districts. | Micro-breweries have been interpreted as accessory to restaurants. This amendment codifies that interpretation. |
| 1. (g) | Approval | Approval | Correction | None | 19-159 Restricted uses in C-3 districts | Correct the formatting of continuous outdoor display of merchandise for sale. |
| 1. (h) | Approval | Approval | Correction | None | 19-172 and 19-173 Permitted and restricted uses in C-5 districts. | Indoor recreation is listed as a permitted use and does not need to be since it carries over as a permitted use from the C-3 district. Delete this use from section 19-172. Drive in theaters and truck terminals are moved from permitted to restricted uses consistent with the ordinance format. |
| 1. (i) | Approval | Approval | Clarification | None | 19-181 Restricted uses in I-1 districts. | Clarify that uses permitted includes those uses permitted by right and with certain restrictions in C-1 districts and correct the format for utility uses and temporary mobile homes. |
| 1. (j) | Approval | Approval | Correction | None | 19-227. Sale of alcoholic beverages near schools | This section requires a conditional use for the sale of alcoholic beverages for on premises consumption within 500 feet of County schools built after December 15, 1993. A footnote lists the schools built prior to that date. The footnote is being amended to reflect name changes for some schools and the demolition of Kingsland Elementary School. |
| 1. (k) | Approval | Approval | Interpretation | None | 19-301 Definition of dry cleaning plant. | Dry cleaning plant is listed in the zoning ordinance, but is not defined. To clarify that, an interpretation was made that defined dry cleaning plant. This amendment codifies that interpretation. |

| Amendment number | recommend. 6/23/94 | CPC results 5/18/04 | Type change | Changes to | Ordinance section(s) | Need for amendment |
|---|--|--|----------------------------------|------------|--|--|
| 1. (l) | Approval | Approval | Customer service | Standard | 19-513 Parking requirements for residential uses, indoor recreation facilities and warehousing, wholesale houses and distributors | Current parking standards are too high for housing for active seniors and assisted living facilities; indoor sports fields; and warehousing, wholesale houses and distributors. This amendment reduces parking requirements for those uses. |
| 1. (m) | Approval | Approval | Customer service | Standard | 19-514 Design standards for off-street parking | A vehicle stacking lane is required at day care centers where parents can stay in their car when they drop off and pick up children. Some day care providers now require parents to enter the building and sign the children in and out negating the need for stacking lanes. This amendment allows flexibility based on the type of drop off used at the facility. |
| 1. (n) | Approval | Approval | Correction | None | 19-638 Banners | The contraction it's is used when the correct term is the possessive its. |
| Changes to development standards | | | | | | |
| 2. (a) | No action requested pending Planning Commission recommendation | Still under review by the Chesterfield Planning Commission | Enforcement | Standard | 17-2 and 17-46 Subdivision definitions and plat requirements | The Code of Virginia and the County Subdivision Ordinance exempt property divisions for family members from the typical subdivision process. This exemption has been used to circumvent the requirements of the subdivision ordinance. This amendment will require a minimum period of ownership by family members; an affidavit of intent; establish legal presumptions regarding violations; establish penalties, restrictions and corrective measures for violations; and require warning language on plats to alert future property owners of the family subdivision restrictions. |
| 2. (b) | Defer to 8/25/2004 | Approval | Clarification and interpretation | None | 19-65, 19-66, 19-102, 19-103, 19-107.1, 19-108 and 19-301 Permitted and accessory uses in R-88, R-TH and R-MF districts and the definition of home occupation. | This amendment moves home occupations from accessory to restricted uses in R-88, R-TH and R-MF districts. Specific restrictions for home occupations are moved from the definition section to restricted uses. Dance studios, private clubs, trash collection and automotive repair are prohibited as home occupations. Restrictions are added relative to customers, storage, vehicle parking and residency requirements. |
| 2. (c) | Approval | Approval | Consistency | Use | 19-173 Restricted uses in C-5 districts. | The section permits the sales, service, repair and rental of various type vehicles. Utility trailer and truck rental is permitted. This amendment adds the sales, service and repair of those vehicles to C-5 restricted uses. |
| 2. (d) | No action requested pending Planning Commission recommendation | Still under review by the Chesterfield Planning Commission | Customer service | Use | 19-181 and 19-185 Restricted uses and required conditions in I-1 districts. | Warehouses, including mini-warehouses, are permitted uses in I-1 districts. Mini-warehouse owners have requested that outdoor vehicle storage be permitted in I-1 districts. This amendment adds vehicle storage as a restricted use with conditions to screen the use and limit activity associated with the storage. |

| Amendment number | recommend. 6/23/94 | CPC results 5/18/04 | Type change | Changes to | Ordinance section(s) | Need for amendment |
|------------------|--------------------|---------------------|------------------|------------|---|--|
| | | | | | | Administrative variances are processed more quickly than variances considered by the Board of Zoning Appeals. The need for these variances usually arises during the review of a building permit or during the research for the sale of an existing home. The Code of Virginia does not limit the size of an administrative variance. The zoning ordinance restricts administrative variances to half the required setback or 10 feet, whichever is greater. Customers would receive quicker service if the zoning ordinance restriction was eliminated. This amendment would eliminate the restrictions in the zoning ordinance. The ordinance would still provide standards for review and approval and retain appeal rights to the Board of Zoning Appeals. |
| 2. (e) | Approval | Approval | Customer service | Process | 19-301 Definition of administrative variance | Setbacks for accessory buildings are currently regulated by the number of stories, not the height. Neighborhood complaints arise about setbacks of tall, one story buildings...typically garages. This amendment changes the standard to regulate setback by building height. |
| 2. (f) | Approval | Approval | Customer service | Standard | 19-555 Required yards for accessory structures in R, R-TH, R-MF, MH and A districts | The size and location of internal signs mounted on windows and doors and visible from outside the buildings are regulated. Other large signs are now being installed on the interior of buildings that are not regulated by the section. This amendment would regulate all interior signs that are legible from outside the building. |
| 2. (g) | Approval | Approval | Enforcement | Standard | 19-637. Limitation on specific signs. | The ordinance used to require that abandoned signs be removed, including the structure down to the base. The ordinance now requires only that the sign face, not the structure, be removed. The code compliance branch cannot now require the removal of sign poles and the frame for the sign face. This amendment would allow the code compliance branch to improve the appearance of commercial corridors. |
| 2. (h) | Approval | Approval | Enforcement | Standard | 19-650 Non conforming and illegal signs | |

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**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

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Meeting Date: June 23, 2004

Item Number: 16.B.

Subject:

Consider Amendment to the Tower Siting Policy and Public Hearing on Related Code Amendments

County Administrator's Comments: *Recommend Approval*

County Administrator: *LBK*

Board Action Requested:

The Board is requested to adopt the amendment to the Tower Siting Policy and related code amendments.

Summary of Information:

At the request of the Board of Supervisors, the Planning Commission, in conjunction with the cellular industry, evaluated the Tower Siting Policy and Code amendments relating to towers. As a result, the Planning Commission is recommending certain amendments, which are outlined in detail in the attachments.

In summary, the Planning Commission recommends the following:

PROPOSED POLICY AMENDMENTS

- A. Allow physical features other than Resource Protection Areas (RPAs) to provide boundaries between the tower site and future development in areas designated for residential use of 0.5 units per acre or less or rural conservation;

Preparer: Kirkland A. Turner

Title: Director of Planning

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Attachments:



Yes



No

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BOARD OF SUPERVISORS
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-
- B. Support co-location on stadium light poles at school and park athletic facilities and on electrical transmission structures;
 - C. Support lighting of towers and a design other than monopole where the Ordinance would allow towers to exceed 199 feet;
 - D. Eliminate setback requirements in the administrative policy.

PROPOSED ORDINANCE AMENDMENTS

- A. Permit communication towers to co-locate on electrical transmission structures by right subject to certain restrictions in all districts.
- B. Increase permitted height of communication towers for those areas designated on the Comprehensive Plan for rural conservation from 150 feet to 300 feet and an increase in the permitted height of communications towers in all other areas from 150 feet to 199 feet.

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PROPOSED POLICY AMENDMENTS - DETAILS

The Policy has been amended to:

- A. Allow physical features other than Resource Protection Areas (RPAs) to provide boundaries between the tower site and future development in areas designated on the Comprehensive Plan for residential use of 0.5 units per acre or less or rural conservation;
- B. Support co-location on stadium light poles at school and park athletic facilities and on electrical transmission structures;
- C. Support lighting of towers and a design other than monopole where the Ordinance would allow towers to exceed 199 feet;
- D. Amend the recommended conditions, as appropriate, to address these new standards;
- E. Eliminate discussion relative to interference with the County's Communications System in the policy since the Ordinance addresses such interference; and
- F. Eliminate setback requirements in the administrative policy since the Ordinance addresses setbacks.

PROPOSED ORDINANCE AMENDMENTS - DETAILS

There are two (2) ordinance amendments proposed:

- A. The proposed amendments to Sections 19-65, 19-102, 19-107.1, 19-124, 19-131, 19-173 and 19-181 and the addition of Section 19-113.1 would permit communication towers to co-locate on electrical transmission structures by right subject to certain restrictions in all districts. The restrictions include: a requirement for flush-mount antennae, a limitation that the antennae not exceed a height of twenty (20) feet above the permitted structure provided such height does not exceed the limitations of Sections 19-507 and 19-507.2, antennae are gray or another neutral color acceptable to the planning department, any building or mechanical equipment complies with Emerging Growth Area Development Standards relative to architectural treatment and screening, and a requirement that the antennae shall be dismantled and it and all associated equipment be removed from the property at such time as the antennae ceases to be used for communications purposes for a period exceeding twelve (12) consecutive months.

(Staff Note: If the co-location conforms to the restrictions, administrative substantial accord determination would be possible. If the restrictions are not met, it would be necessary to obtain a Conditional Use to permit the communications tower.)

- B. The proposed amendments to Section 19-507 and the addition of Section 19-507.2 would permit an increase in the permitted height of communication towers for those areas designated on the Comprehensive Plan for rural conservation from 150 feet to 300 feet and an increase in the permitted height of communications towers in all other areas from 150 feet to 199 feet. These increases in height would still be subject to yard requirements of the specific zoning districts in which the towers are located.

(Staff Note: These towers would still be required to obtain a Conditional Use at which time site specific evaluation would allow a determination as to whether an increased height is appropriate in a given area.)

BACKGROUND

On February 22, 2002, the Board of Supervisors, upon a favorable recommendation from the Planning Commission, approved revisions to the County's Tower Siting Policy as a result of the Commission's concerns relative to tower lighting and design.

At the Board's meeting, a telecommunications industry representative expressed concerns with the Policy, and in response the Board directed the Commission to re-evaluate the Policy to determine if further revisions should be made.

As a result, the Commission requested that staff obtain input from the telecommunication industry representatives as to changes that may be desired in the Policy. Staff had several meetings with the representatives. Once comments were finalized from the industry representatives, the Commission held a work session. Generally, the industry suggested the County should consider: permitting taller towers in rural areas of the County, encouraging co-location on non-conforming towers, permitting co-location on buildings and electrical transmission structures after an administrative review, and permitting towers on County properties and in proximity to residences on agriculturally zoned properties.

Subsequently, the Commission directed staff to prepare certain draft revisions to the policy relative to permitting taller towers in rural and other areas of the County, encouraging co-location on buildings and electrical transmission structures subject to certain restrictions, and considering tower locations on county properties. Staff reviewed the draft Policy and Ordinance amendments with the Commission at their work session in May 2003. The Commission suggested changes to the draft amendments which were finalized for the Commission's consideration at their March 16, 2004 work session. At this meeting, the Commission authorized advertisement of the Policy and Ordinance amendments for a public hearing at their April 20, 2004, meeting. On April 20, 2004, after public input and hearing, the Commission recommended approval of the attached changes.

Tower Siting Policy

Guidelines for Review of Planning Commission and Board of Supervisors Substantial Accord Determinations and/or Zoning Approval for Communications Tower Locations

(NOTE: In general, the following are the guidelines which will be used to deliberate a proposed tower location relative to Substantial Accord and/or Zoning approval. Meeting these guidelines will not automatically address site specific concerns. Additional conditions may be imposed and/or recommended to address such concerns to further insure compliance with the Plan for Chesterfield or the purposes of the Zoning Ordinance in the instance of a zoning action.)

- A. Typically, the tower should be located in an area designated on the Comprehensive Plan for general commercial, general industrial and/or agricultural/forestal use.
- B. Typically, the tower should also satisfy the locational and design criteria for towers outlined in the Public Facilities Plan. The Public Facilities Plan suggests that:
 - 1) The tower should, where appropriate, be located in the vicinity of other existing towers and the tower should generally be designed to allow for shared use.
 - 2) The tower should generally be located away from existing or planned areas of residential, recreational and similar types of development. Specifically, towers should generally be located away from agriculturally zoned land identified on the Comprehensive Plan for residential use, residences on agriculturally zoned land, residentially zoned property, villages, schools, parks, community recreational facilities or similar development.
 - 3) Views of the tower from such existing or planned areas of development should be minimized.
- C. If a tower is to be located in the vicinity of existing or planned areas of development or other high visibility areas, such as near the intersections of major roads or along rivers, the tower should be architecturally incorporated in the design of an existing structure, such as a church or office building, or possess design features that mask the utilitarian nature of the tower. Otherwise, the tower should be located as remotely as possible from existing or planned areas of development or other high visibility areas and on property that is densely wooded with mature trees. Measures should be taken to insure the preservation of a mature stand of trees around the tower. The stand of trees should be of sufficient width, height and density to minimize views of the tower. Further, any antennas of other tower-mounted equipment should be designed, spaced, placed, and/or masked so as to minimize the visual impact.

- D. In areas designated on the Comprehensive Plan for residential use of 0.5 units per acre or less or rural conservation, towers may be appropriate where physical features such as topographical changes and streams (non-RPA and RPA) provide a boundary to future development.
- E. Under certain circumstances where the tower or antennae is designed to mask the improvement, co-location on stadium light poles at schools and parks athletic facilities; on electrical transmission structures; or on water towers and similar structures may be appropriate.
- ~~D.~~ F. The tower should be located and/or designed so as not to create a hazard for air navigation or affect the operations of the Chesterfield County Airport.
- ~~E.~~ G. The tower should be located to minimize the possibility of any adverse impact on existing or planned areas of development, the Chesterfield County Communications System and the County Airport. To address these concerns, the following is a list of conditions typically recommended for imposition on tower requests:
1. There shall be no signs permitted to identify this use. (P)
 2. The base of the tower shall be enclosed by a minimum six (6) foot high fence designed to preclude trespassing. The fence shall be placed so as to provide sufficient room between the fence and the property line to accommodate evergreen plantings having an initial height and spacing to provide screening of the base of the tower and accessory ground mounted equipment or structures from adjacent properties. A detailed plan depicting this requirement shall be submitted to the Planning Department for approval in conjunction with final site plan review. (P)
 - ~~3. The tower and equipment shall be designed and installed so as not to interfere with Chesterfield County Communications System. At the time of site plan review, the owner/development shall submit information as deemed necessary by the Chesterfield County Communications and Electronics staff to determine if an engineering study should be performed to analyze the possibility of radio frequency interference with the County system, based upon tower location and height, and upon the frequencies and effective radiated power generated by tower mounted equipment. Prior to release of a building permit the study, if required, shall be submitted to, and approved by, the Chesterfield County Communications and Electronics staff. (GS)~~
 - ~~4.~~ 3. The developer shall be responsible for correcting any frequency problems which affect the Chesterfield County Communications System caused by this use. Such correction shall be made immediately upon notification by the Chesterfield County Communications and Electronics staff. (GS)

5. 4. The color and lighting system for the tower shall be as follows:
- a. The tower shall be gray or another neutral color, acceptable to the Planning Department.
 - b. The tower shall not be lighted.

(NOTE: This requirement shall not apply to areas where towers are allowed by the Zoning Ordinance to exceed 199 feet. At the time of application, if lighting is desired, detailed plans as to the proposed lighting shall be submitted. Those details will be reviewed by the staff, Planning Commission and Board of Supervisors to determine if lighting would have a negative impact on the surrounding area. Generally, if lighting is determined not to have an adverse impact, the following condition will typically be recommended: Lighting during daylight hours shall be limited to medium intensity strobe lights with upward reflection and lighting during night-time hours shall be limited to soft blinking lights with upward reflection.)

- c. The tower shall be a monopole structure. (P)

(NOTE: This requirement shall not apply to areas where towers are allowed by the Zoning Ordinance to exceed 199 feet. At the time of application, if alternative treatment of the tower is desired, or determined to be appropriate given the location such as in a residential area, detailed plans as to the proposed alternative treatment shall be submitted. Those details will be reviewed by the staff, Planning Commission and Board of Supervisors to determine if the alternative design would have a negative impact on the surrounding area. Such treatments, which are designed to disguise the appearance of the tower, may include masking devices, design features or incorporation into the architectural design of a building.)

- ~~6.~~ 5. Any building or mechanical equipment shall comply with Section (area in which located) of the Zoning Ordinance relative to architectural treatment of building exteriors and screening of mechanical equipment. (P)

(NOTE: Section (area in which located) would require the screening of mechanical equipment located on the building or ground from adjacent properties and public rights of way. Screening would not be required for the tower or tower-mounted equipment. Provided, however, that in I-2 and I-3 Districts, such equipment need not be screened from view of any I-2 or I-3 District or any public right of way which does not accommodate or is not intended to accommodate through traffic movements.)

- ~~7.~~ 6. At such time that the tower ceases to be used for communications purposes for a period exceeding twelve (12) consecutive months, the owner/developer shall dismantle and remove the tower and all associated equipment from the property. (P)

(NOTE: These conditions are subject to modifications that address site-specific concerns.)

Tower Siting Policy

~~Guidelines for Administrative Review of Substantial Accord Determinations for Communications Tower Locations~~

(NOTE: Meeting these guidelines should address most of the concerns that tower siting requests typically generate. However, meeting these guidelines will not automatically address site-specific concerns or grant Substantial Accord approval. Staff may, through the administrative process, recommend that the applicant seek Planning Commission approval or recommend appropriate conditions to insure that the tower site is in Substantial Accord with the Comprehensive Plan.)

Administrative review of Substantial Accord Determinations for communications tower locations may be performed if:

- A. The tower site is zoned to permit the tower use.
- B. The tower site location and/or surrounding land uses mitigate the impact of the tower on existing and future areas of development, to include be not limited to: agriculturally zoned land identified on the Comprehensive Plan for residential use, residences on agriculturally zoned land, residentially zoned property, villages, schools, parks, community recreational facilities or similar development. Specifically, administrative review will be performed only if: a) an intermediate commercial or industrial use exists between the tower site and such development; and b) the tower meets minimum setbacks from such development. ~~of forty (40) feet plus one (1) foot for each foot the tower exceeds a height of forty five (45) feet.~~

If the tower site is located a minimum distance of 1,000 feet from residences on agriculturally zoned land, residentially zoned property, villages, schools, parks, community recreational facilities or similar development, or a minimum distance of 500 feet from agriculturally zoned land identified on the Comprehensive Plan for residential use, an intermediate commercial or industrial use will not be required.

If the tower is incorporated into the architectural treatment of a permitted use, an intermediate use or the 1,000 and 500 foot distance requirements will not be required. The tower must still comply with ~~the~~ minimum setbacks. ~~specified above.~~

- C. The tower site location and/or surrounding land uses mitigate the impact of the tower on high visibility areas, such as along major traffic corridors, near the intersections of major roads or along the James River. Administrative review will be performed only if: a) an intermediate commercial or industrial use exists between the tower site and such high visibility areas; and b) the tower meets minimum setbacks. ~~from such areas of forty (40) feet plus one (1) foot for each foot the tower exceeds a height of forty five (45) feet.~~

If the tower site is located a minimum distance of 1,000 feet from such areas, an intermediate commercial or industrial use will not be required.

If a 100 foot buffer of mature trees at an elevation that will mitigate the view of the tower is preserved between the tower and high visibility areas, an intermediate use or the 1,000 foot distance requirement will not be required. The tower must still comply with the minimum setbacks specified above. To insure that the buffer of trees will mitigate the view of the

tower, the topography of the buffer area should be at no point lower than ten (10) feet below the elevation of the base of the tower.

If the tower is incorporated into the architectural treatment of a permitted use such as, but not limited to, stadium light poles at school and parks athletic facilities, church steeples or electrical transmission structures, an intermediate use, or buffer of 1,000 feet will not be required. The tower must still comply with ~~the~~ minimum setbacks. ~~specified above.~~

(NOTE: Buffers required by Ordinance or by conditions of zoning would remain applicable.)

- D. The tower should be located and/or designed so as not to create a hazard for air navigation or affect the operations of the Chesterfield County Airport, as determined by the Director of Aviation Services.

If these criteria cannot be met, the Substantial Accord will be reviewed by the Planning Commission through the public hearing process.

(NOTE: Under the Substantial Accord Policy of Chesterfield County, the following procedures apply:

- A. An administrative finding that the tower is in Substantial Accord with the Plan must be reviewed by the Planning Commission. The Commission may affirm or vacate the finding.

If the Commission affirms the administrative finding, the tower is deemed to be in Substantial Accord with the Plan. The Board of Supervisors does not review this decision unless the decision is appealed by the applicant.

- B. If the Commission vacates the administrative finding, a public hearing will be scheduled before the Planning Commission which will then determine if the tower is in Substantial Accord with the Plan.
- C. The Commission's finding is then reviewed by the Board of Supervisors. The Board may overrule or affirm the Commission's finding or refer the matter back to the Commission for further public hearing. Also, the applicant may appeal the Commission's finding to the Board.)

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY
OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING
AND RE-ENACTING SECTIONS 19-65, 19-102, 19-107.1, 19-124, 19-131, 19-173, AND
19-181 AND ADDING SECTION 19-113.1 RELATING TO COMMUNICATIONS
TOWERS ALLOWED IN RESIDENTIAL, MANUFACTURED HOME,
AGRICULTURAL, OFFICE, COMMERCIAL AND INDUSTRIAL
ZONING DISTRICTS SUBJECT TO CERTAIN RESTRICTIONS

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

- (1) *That Sections 19-65, 19-102, 19-107.1, 19-124, 19-131, 19-173, and 19-181 of the Code of the County of Chesterfield, 1997, as amended, are amended and re-enacted and Section 19-113.1 is added to read as follows:*

DIVISION 4. R-88 RESIDENTIAL DISTRICT

o o o

Sec. 19-65. Uses permitted with certain restrictions.

The following uses shall be permitted in the R-88 District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

(d) Communications towers, provided that:

- (1) antennae are co-located on electric transmission structures.**
- (2) antennae are a flush-mount design and do not exceed a height of twenty (20) feet above the height of the electric transmission structure and such height does not exceed the limitations of sections 19-507 and 19-507.2.**
- (3) antennae shall be gray or another neutral color acceptable to the planning department.**
- (4) any building or mechanical equipment shall comply with Emerging Growth Area Development Standards relative to architectural treatment and screening of mechanical equipment.**
- (5) at such time as the antennae ceases to be used for communications purposes for a period exceeding twelve (12) consecutive months, such antennae shall be dismantled and it and all associated equipment removed from the property.**

o o o

DIVISION 11. R-TH RESIDENTIAL-TOWNHOUSE DISTRICT

o o o

Sec. 19-102. Uses permitted with certain restrictions.

The following uses shall be permitted in the R-TH District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

(c) Communications towers, provided that:

- (1) antennae are co-located on electric transmission structures.**
- (2) antennae are a flush-mount design and do not exceed a height of twenty (20) feet above the height of the electric transmission structure and such height does not exceed the limitations of sections 19-507 and 19-507.2.**
- (3) antennae shall be gray or another neutral color acceptable to the planning department.**
- (4) any building or mechanical equipment shall comply with Emerging Growth Area Development Standards relative to architectural treatment and screening of mechanical equipment.**
- (5) at such time as the antennae ceases to be used for communications purposes for a period exceeding twelve (12) consecutive months, such antennae shall be dismantled and it and all associated equipment removed from the property.**

o o o

DIVISION 12. R-MF MULTIFAMILY RESIDENTIAL DISTRICT

o o o

Sec. 19-107.1. Uses permitted with certain restrictions.

The following uses shall be permitted in the R-MF District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

(b) Communications towers, provided that:

- (1) antennae are co-located on electric transmission structures.**

- (2) antennae are a flush-mount design and do not exceed a height of twenty (20) feet above the height of the electric transmission structure and such height does not exceed the limitations of sections 19-507 and 19-507.2.
- (3) antennae shall be gray or another neutral color acceptable to the planning department.
- (4) any building or mechanical equipment shall comply with Emerging Growth Area Development Standards relative to architectural treatment and screening of mechanical equipment.
- (5) at such time as the antennae ceases to be used for communications purposes for a period exceeding twelve (12) consecutive months, such antennae shall be dismantled and it and all associated equipment removed from the property.

o o o

DIVISION 13. MH-1 MANUFACTURED OR MOBILE HOME PARK DISTRICT

o o o

Sec. 19-113.1. Uses permitted with certain restrictions.

The following uses shall be permitted in the MH-1 District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

- (a) Communications towers, provided that:
 - (1) antennae are co-located on electric transmission structures.
 - (2) antennae are a flush-mount design and do not exceed a height of twenty (20) feet above the height of the electric transmission structure and such height does not exceed the limitations of sections 19-507 and 19-507.2.
 - (3) antennae shall be gray or another neutral color acceptable to the planning department.
 - (4) any building or mechanical equipment shall comply with Emerging Growth Area Development Standards relative to architectural treatment and screening of mechanical equipment.
 - (5) at such time as the antennae ceases to be used for communications purposes for a period exceeding twelve (12) consecutive months, such antennae shall be dismantled and it and all associated equipment removed from the property.

o o o
DIVISION 15. A AGRICULTURAL DISTRICT

o o o

Sec. 19-124. Uses permitted with certain restrictions.

The following uses shall be permitted in the A District subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

~~(1)~~ (a) Access to any land located in an office, business or industrial district or used for an office, business or industrial purpose, provided that the property is designated for office, business or industrial use on the comprehensive plan.

~~(2)~~ (b) Family day-care homes provided that no more than five children exclusive of the provider's own children and children who reside in the home receive care at any one time during a 24-hour day.

~~(3)~~ (c) Stock or dairy farms, including all buildings and structures necessary to such use and the keeping, storage or operation of any vehicle or machinery necessary to such use, provided that the lot or parcel has at least three acres.

(d) Communications towers, provided that:

(1) antennae are co-located on electric transmission structures.

(2) antennae are a flush-mount design and do not exceed a height of twenty (20) feet above the height of the electric transmission structure and such height does not exceed the limitations of sections 19-507 and 19-507.2.

(3) antennae shall be gray or another neutral color acceptable to the planning department.

(4) any building or mechanical equipment shall comply with Emerging Growth Area Development Standards relative to architectural treatment and screening of mechanical equipment.

(5) at such time as the antennae ceases to be used for communications purposes for a period exceeding twelve (12) consecutive months, such antennae shall be dismantled and it and all associated equipment removed from the property.

o o o

DIVISION 16. O-1 NEIGHBORHOOD OFFICE DISTRICT

o o o

Sec. 19-131. Uses permitted with certain restrictions.

The following uses shall be permitted in the O-1 District subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

(i) Communications towers, provided that:

- (1) antennae are co-located on electric transmission structures.**
- (2) antennae are a flush-mount design and do not exceed a height of twenty (20) feet above the height of the transmission structure supporting the high tension electrical transmission lines and such height does not exceed the limitations of sections 15-507 and 19-507.2.**
- (3) antennae shall be gray or another neutral color acceptable to the planning department.**
- (4) at such time as the antennae ceases to be used for communications purposes for a period exceeding twelve (12) consecutive months, such antennae shall be dismantled and it and all associated equipment removed from the property.**

o o o

DIVISION 22. C-5 GENERAL BUSINESS DISTRICT

o o o

Sec. 19-173. Uses permitted with certain restrictions.

The following uses shall be permitted in the C-5 District, subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to the provisions of section 19-13:

o o o

(f) Communication towers, provided that such use is not located in the Eastern Midlothian Turnpike Corridor, except as specified in 19-131(i).

o o o

DIVISION 23. I-1 LIGHT INDUSTRIAL DISTRICT

o o o

Sec. 19-181. Uses permitted with certain restrictions.

The following uses shall be permitted in the I-1 District subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to the provisions of section 19-13:

o o o

(b) Uses permitted in the C-1 District, artist material and supply stores, health clubs, messenger or telegraph services and office supply stores provided that: (1) such uses shall only be permitted in projects of 25 acres or more; (2) at no time shall such uses exceed 30 percent of the gross floor area under construction or occupied by permitted uses in such projects; (3) such uses are located internally to the project, not along any road on the periphery of the project; and (4) shall be primarily for the convenience of the employees of the industrial uses; ~~and~~.

~~(5)~~ (c) eCommunication towers, provided that the structure is architecturally incorporated into the design of a building.

(d) Communication towers, provided that:

- (1) antennae are co-located on electric transmission structures.
- (2) antennae are a flush-mount design and do not exceed a height of twenty (20) feet above the height of the transmission structure supporting the high tension electrical transmission lines and such height does not exceed the limitations of sections 15-507 and 19-507.2.
- (3) antennae shall be gray or another neutral color acceptable to the planning department.
- (4) at such time as the antennae ceases to be used for communications purposes for a period exceeding twelve (12) consecutive months, such antennae shall be dismantled and it and all associated equipment removed from the property.

~~(e)~~ (e) Schools--commercial, trade, music, dance, business, vocational and training, provided they are located on the interior of the project and not along roads located on the periphery of the project.

~~(d)~~ (f) Public and private utility uses, so long as they require a structure, to include all water and waste water pumping stations; electric, gas, communications and natural gas, liquefied petroleum gas (LPG) and petroleum products transmission facilities; in addition, natural gas, liquefied gas and petroleum products transmission facilities above and below ground, provided that

all such uses which are visible from adjacent R, R-TH, R-MF or O Districts or properties zoned Agricultural (A) and shown on the comprehensive plan as residential or office uses shall be enclosed within a structure having a style and character compatible with surrounding residential or office structures or shall be completely screened from view from such adjacent properties.

~~(e)~~ (g) Satellite dishes, provided that:

- (1) The dishes are accessory to a principal use; and
- (2) The diameter of the dish does not exceed 12 feet.

~~(f)~~ (h) Wholesale greenhouses, hot houses and nurseries provided that nothing except plant materials is stored outside of a completely enclosed building.

~~(g)~~ (i) One temporary mobile home, provided that a mobile home has been legally on the property within the past six months and the board of supervisors grants a mobile home permit to allow the use to continue.

o o o

(2) *That this ordinance shall become effective immediately upon adoption.*

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY
OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING
AND RE-ENACTING SECTION 19-507 AND ADDING SECTION 19-507.2
RELATING TO HEIGHT EXEMPTIONS AND LIMITATIONS FOR
COMMUNICATION TOWERS

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) *That Section 19-507 of the Code of the County of Chesterfield, 1997, as amended, is amended and re-enacted and Section 19-507.2 is added to read as follows:*

ARTICLE VII. DEVELOPMENT STANDARDS MANUAL

DIVISION 1. DEVELOPMENT STANDARDS

Subdivision I. General Provisions – Countywide

o o o

Sec. 19-507. Height exemptions and limitations.

o o o

(f) Except for the height limits set forth in this section and the limitations of section 19-507.1 and 19-507.2, no other height limitation specified in the zoning ordinance shall apply to church spires, belfries, cupolas, domes, heat transfer units, tanks, monuments, water towers, chimneys, flues, amateur radio antennas, radio or television antennas, or similar structures having an aggregate area less than 25 percent of the ground floor building area; to the parapet walls or bulkheads extending not more than four feet above the limiting height of the building; or to grain elevators, derricks or other necessary industrial, utility or public service structures; provided that no such structure shall exceed a height as noted in the following chart:

TABLE INSET:

| <i>District</i> | <i>Height</i> | <i>Comments</i> |
|-------------------|---------------|--|
| A | 150 | Subject to the required yards specified in section 19-555(1) for accessory buildings and structures. No structure shall penetrate the floor of any of the zones noted in this section. |
| R or R-TH | 50* | Subject to the required yards specified in section 19-555(1) for accessory buildings and structures. No structure shall penetrate the floor of any of the zones noted in this section. * Amateur radio antennas may be increased to a height of 75 feet in R and R-TH Districts subject to the yard requirements specified in section 19-555(1). |
| R-MF, O-1, or C-1 | 75 | Subject to the required yards for principal structures of the respective zoning district. No structure shall penetrate the floor of any of the |

| | | |
|--------------------|-----|---|
| | | zones noted in this section. |
| Any other district | 150 | Subject to the required yards for principal structures of the respective zoning district. No structure shall penetrate the floor of any of the zones noted in this section. |

o o o

Section 19-507.2. Height exemptions and limitations – all districts.

In areas designated on the Comprehensive Plan for rural conservation use, the height of communications towers may be increased to a height of 300 feet and in all other areas may be increased to a height of 199 feet. These increases in height are subject to yard requirements of the specific districts in which the communications towers are located.

(2) *That this ordinance shall become effective immediately upon adoption.*



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 6

Meeting Date: June 23, 2004

Item Number: 16.C.

Subject:

Public Hearing to Consider: FY2005 through FY2010 Secondary Road Six Year Improvement Plan; FY05 Secondary Road Improvement Budget; Project Development Schedules for Chesterfield Road Fund, Regional Surface Transportation Program Fund, and Congestion Mitigation Air Quality Fund; Designation of FY2005 Chesterfield Road Fund Projects and FY2004 Supplemental Chesterfield Road Fund Project; and Transfer of Funds

County Administrator's Comments: *Recommend Approval after public hearing*

County Administrator: _____ *JMP*

Board Action Requested: Hold a public hearing to approve: FY2005 through FY10 Secondary Road Six Year Improvement Plan; FY2005 Secondary Road Improvement Budget; Project Development Schedules for Chesterfield Road Fund, Regional Surface Transportation Program Fund, and Congestion Mitigation Air Quality Fund; Designation of FY2005 Chesterfield Road Fund Projects and FY2004 Supplemental Chesterfield Road Fund Project; and transfer \$110,021 from the General Road Improvement Account to the Newbys Bridge Road east of Qualla Road Project.

Summary of Information: State statutes enable the Board of Supervisors to prepare and adopt, jointly with the Virginia Department of Transportation (VDOT), a Six Year Plan identifying improvements that are anticipated to be made to the Secondary Road System in the county. The Plan has been developed based on an average \$10.4 million per year allocation [\$7.5 million secondary road funds, \$1.4 million anticipated Richmond Metropolitan Planning Organization (MPO) Regional Surface Transportation Program (RSTP) Funds,

(Continued on page 2)

Preparer: R.J. McCracken

Title: Director of Transportation
agen569

Attachments:



Yes



No

#000235

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 6

Summary (Continued): \$0.5 million Congestion Mitigation Air Quality (CMAQ) Funds, and \$1.0 million Chesterfield Road Funds (VDOT/county matching program)]. The \$10.4 million per year allocation represents approximately the same annual allocation that was used to develop the previous Six Year Plan. Details of the Six Year Plan are shown on Attachments A through C.

The proposed Six Year Plan includes twelve new projects. Eight of these projects are federally funded and require secondary funds for the match with the exception of the Reams Road project, which requires no matching funds. The 12 projects are:

Regional Surface Transportation Project (no match required):

- Reams Road Turn Lanes, Adkins Road to Wadsworth Drive

Highway/Rail Grade Crossing Safety Improvement Projects (10% match):

- Ramblewood Road, east of Bermuda Hundred Road
- Ramblewood Road, east of Golf Course Road

Hazard Elimination Safety Projects (10% match):

- Woolridge Road, curve south of Crown Point Road
- Beulah Road, curve near Mason Woods Drive

Congestion Mitigation Air Quality Projects (20% match):

- Courthouse Road/Route 360 Turn Lane
- Halloway Avenue Sidewalk
- Hickory Road/River Road Sidewalk, Woodpecker Road to James Street

The remaining four new projects have been added to begin design in the later years of the Plan:

- Otterdale Road, from Duval Road to Genito Road
- Beach Road, from Route 10 to Nash Road
- Newbys Bridge Road, from Falling Creek to Hagood Lane
- Qualla Road, from Beach Road to Spring Run Road

Rural Addition

In previous plans, with the exception of last year, funds (\$134,000) have been routinely included in the budget to upgrade qualifying non-state standard roads so that they can be accepted into the state road system as a rural addition. Under the rural addition program, VDOT will pay the road construction costs. The county, or others, must pay right-of-way acquisition and utility adjustment costs. In the past, rural addition projects have been selected by the Board on a case-by-case basis as requests are received from citizens.

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**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 3 of 6

Summary (Continued): Attachment E lists the qualifying rural addition requests. Last year's Plan did not include funding for a rural addition. This year, staff again recommends the Board not select a rural addition project; and, therefore, no rural addition projects are included in the Plan.

Programs for Paving Unpaved Secondary Roads

The Code of Virginia requires that approximately 5% of statewide secondary construction funds are set aside for the paving of unpaved roads. These funds are then distributed among localities proportionately based on the number of miles of unpaved roads carrying over 50 vehicles per day (vpd) in each locality. Rhodes Lane is designated in the Plan to receive these funds (approximately \$55,000 per year).

In 1997, VDOT developed a Pave-In-Place policy for the paving of state maintained, gravel roads carrying between 50 and 750 vpd. Staff recommended against using this program. In 2003, VDOT implemented an even less restrictive Rural Rustic Road Program, for roads carrying between 50 and 500 vpd, with minimal traffic increases expected by the locality over the next 10 years. Traditionally, the county's unpaved road projects have provided a minimum 40-foot right-of-way with the road rebuilt to provide adequate shoulder and ditches. This approach is in contrast to the Pave-In-Place and Rural Rustic Road programs, which involve very little to no improvements to the road other than the hard surface. Since most of the county's unpaved roads are expected to carry more than 750 vpd, staff recommends that the Board not participate in the Pave-In-Place or the Rural Rustic Road programs.

Chesterfield Road Fund Projects

The county regularly participates in an annual VDOT matching fund program (Chesterfield Road Fund), wherein the county provides \$500,000 in anticipation of an equal match (dollar-for-dollar basis) by VDOT. The exact amount of funds to be matched by VDOT is determined by VDOT after all statewide requests for matching funds have been received. Funding for the Chesterfield Road Fund projects is provided on a rotational basis among the magisterial districts. VDOT has determined \$481,559 is the maximum funds Chesterfield will receive in FY05. VDOT has also advised \$110,021 is available in FY04 Supplemental Funds.

Matoaca Road/Woodpecker Road intersection and Newbys Bridge Road east of Qualla Road are designated to receive funding in FY05 (\$102,370 and \$397,630, respectively). The county's FY05 budget includes \$500,000 for Chesterfield's local match. Newbys Bridge Road east of Qualla Road is also designated to

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**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 4 of 6

Summary (Continued): receive the FY04 Supplemental local match, \$110,021. Staff recommends the \$110,021 match be transferred from the General Road Improvement Account.

Regional Surface Transportation Program (RSTP) Project Development Schedule

The Metropolitan Planning Organization (MPO) is given the authority to select/approve projects to be funded from RSTP funds. The Richmond MPO receives approximately \$11.0 million each year in RSTP funds. The Tri-Cities MPO became eligible for RSTP funds in 2003 and anticipates receiving \$1.6 million annually. Chesterfield anticipates receiving approximately \$1.4 million annually in RSTP funds. Attachment C identifies the recommended RSTP Fund Project Development Schedule.

Congestion Mitigation Air Quality (CMAQ) Project Development Schedule

The Metropolitan Planning Organization (MPO) is given the authority to select/approve projects to be funded from CMAQ funds. The Richmond MPO receives approximately \$4.3 million each year in CMAQ funds. The Tri-Cities MPO receives approximately \$0.32 million each year in CMAQ funds. Chesterfield anticipates receiving approximately \$0.5 million annually in CMAQ funds. Attachment C identifies the recommended CMAQ Project Development Schedule.

FY05 Secondary Road Improvement Budget

Each year VDOT requests the Board of Supervisors to approve a Secondary Road Improvement Budget. The budget reflects the first year of the Six Year Plan and identifies specific project allocations for the fiscal year. Attachment D identifies the projects and allocations for FY05.

Recommendation: Staff recommends the Board:

1. Adopt the attached resolutions approving: the FY05 through FY10 Secondary Road Six Year Improvement Plan; the FY05 Secondary Road Improvement Budget; designating Matoaca Road/Woodpecker Road and Newbys Bridge Road east of Qualla Road as the FY05 Chesterfield Road Fund Projects; and Newbys Bridge Road east of Qualla Road as the FY04 Supplemental Chesterfield Road Fund Project.
2. Designate the FY05 Road Fund Projects Account as follows: \$102,370 for the Matoaca Road/Woodpecker Road Project and \$397,630 for the Newbys Bridge Road east of Qualla Road Project, and designating the FY04 Supplemental Road Fund (\$110,021) to the Newbys Bridge Road east of Qualla Road Project after July 1, 2004.

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**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 5 of 6

Summary (Continued):

3. Transfer \$110,021 from the General Road Improvement Account to the Newbys Bridge Road east of Qualla Road Project.

4. Approve the FY05 through FY10 Chesterfield Road Fund Project Development Schedule, the FY05 through FY10 Regional Surface Transportation Project Development Schedule, and the FY05 through FY10 Congestion Mitigation Air Quality Transportation Project Development Schedule.

5. Authorize the County Administrator to enter into the customary VDOT/county/consultant/contractor, design, right-of-way acquisition, and/or construction agreements, acceptable to the County Attorney, for the projects indicated in the Plan.

District: Countywide

000239



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 6 of 6

Meeting Date: June 23, 2004

Budget and Management Comments:

This time has been set to hold a public hearing on the Six Year Secondary Road Improvement Plan and designate \$500,000 as follows: \$102,370 for Matoaca/Woodpecker Road intersection and \$397,630 for the Newbys Bridge Road, east of Qualla Road improvements. Funding for this match was appropriated in the FY2005 capital improvement budget. Also being requested is a transfer of \$110,021 from the General Road Improvements Account for Newbys Bridge Road, east of Qualla Road as an FY2004 supplemental project. These funds are available to transfer from the General Road Improvements Account.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000240

WHEREAS, the Chesterfield County Board of Supervisors and the Virginia Department of Transportation (VDOT) have conducted a public hearing on the FY05 through FY10 Secondary Road Six Year Improvement Plan; and

WHEREAS, the Board concurs with the proposed projects identified in the Plan.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors approves the FY05 through FY10 Six Year Secondary Road Improvement Plan as presented by VDOT.

WHEREAS, the Virginia Department of Transportation (VDOT) has submitted its proposed FY05 Secondary Road Improvement Budget to the county; and

WHEREAS, the Budget represents the implementation of the first year of the FY05 through FY10 Six Year Improvement Plan adopted by the Board.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors approves the FY05 Secondary Road Improvement Budget as presented by VDOT.

WHEREAS, Section 33.1-75.1 of the Code of Virginia permits the Commonwealth Transportation Board to make an equivalent matching allocation to any county for designation by the governing body of up to \$500,000 of funds received by it during the current fiscal year pursuant to the "State and Local Fiscal Assistance Act of 1972" for use by the Commonwealth Transportation Board to construct, maintain, or improve primary and secondary highway systems within such county;

WHEREAS, the Chesterfield County Board of Supervisors has appropriated \$500,000 for the Chesterfield Road Fund with the adoption of the FY05 Appropriation Resolution;

WHEREAS, the Virginia Department of Transportation (VDOT) has notified the county that \$481,559 is the maximum amount of Chesterfield County funds that will be matched by the state during FY05.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors appropriates \$500,000 for the FY05 Chesterfield Road Fund (Revenue Sharing Program).

BE IT FURTHER RESOLVED, that the matched funds shall be allocated to the following projects:

| | |
|-----------|--|
| \$204,740 | Matoaca Road/Woodpecker Road Preliminary Engineering, Right-of-way, and Construction (\$102,370 VDOT and \$102,370 county) |
|-----------|--|

| | |
|-----------|---|
| \$776,819 | Newbys Bridge Road east of Qualla Road Preliminary Engineering, Right-of-way and Construction (\$379,189 VDOT and \$397,630 county) |
|-----------|---|

WHEREAS, Section 33.1-75.1 of the Code of Virginia permits the Commonwealth Transportation Board to make an equivalent matching allocation to any county for designations by the governing body of up to \$500,000 of funds for use by the Commonwealth Transportation Board to construct, maintain, or improve primary and secondary highway systems within such county; and

WHEREAS, the Virginia Department of Transportation (VDOT) has notified the county that \$110,021 is the maximum amount of Chesterfield County funds that will be matched by the state as a supplemental FY04 allocation.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors has allocated \$110,021 from the General Road Improvements Account for the FY04 Supplemental Allocation Program and requests VDOT to provide an equivalent match.

AND, BE IT FURTHER RESOLVED, that the FY04 Supplemental Matched Funds be allocated for the following project:

\$220,042 Newbys Bridge Road east of Qualla Road
Preliminary Engineering,
Right-of-way and Construction
(\$110,021 VDOT and \$110,021 county)

INDEX OF ATTACHMENTS

- Attachment A - Proposed Secondary Road Six Year Projects by Magisterial Districts
- Attachment B - Proposed Chesterfield Road Fund Project Development Schedule
- Attachment C - Regional Surface Transportation Program Fund Project Development Schedule (RSTP)
Congestion Mitigation Air Quality Project Development Schedule (CMAQ)
- Attachment D - Proposed FY05 Secondary Road Improvement Budget
- Attachment E - Qualifying Rural Addition Road Request

PROPOSED SECONDARY ROAD SIX YEAR PROJECTS
FY05 THROUGH FY10
BY MAGISTERIAL DISTRICT

| PROJECT | FROM | TO | DESCRIPTION | START CONSTRUCTION |
|-----------------------|--------------------------------------|--------------------------|------------------------|-----------------------|
| BERMUDA | | | | |
| COXENDALE RD | I - 95 | OLD STAGE RD | R/R CROSSING GATES | SUMMER 2004 |
| DUNDAS RD | STRATHMORE RD | INTERSECTION | TURN LANES | SPRING 2005 |
| * RAMBLEWOOD DR | 0.39 MI. E OF GOLF COURSE RD | | R/R CROSSING | SUMMER 2005 |
| * RAMBLEWOOD DR | 0.39 MI. E OF OLD BERMUDA HUNDRED RD | | R/R CROSSING | SUMMER 2005 |
| CHALKLEY RD | N. OF GRAVEL NECK DR | - | IMPROVE CURVE | SPRING 2006 |
| BRANDERS BRIDGE RD | CARVER HEIGHTS DR | BRADLEY BRIDGE RD | SHOULDERS | SPRING 2007 |
| BRANDERS BRIDGE RD | BRADLEY BRIDGE RD | S. HAPPY HILL RD | IMPROVE 2 LANE | BEYOND PLAN |
| BRANDERS BRIDGE RD | N. OF WHITEHOUSE RD | - | IMPROVE CURVE | TEMP DEFERRED |
| CLOVER HILL | | | | |
| ** GENITO RD | WOOLRIDGE RD | INTERSECTION | TURN LANES | COMPLETE |
| NEWBYS BRIDGE RD | DORTONWAY DR | INTERSECTION | IMPROVE CURVE | SPRING 2006 |
| NEWBYS BRIDGE RD | WALMSLEY BLVD | FALLING CREEK BR | IMPROVE 2 LANE | SPRING 2010 |
| * REAMS ROAD | ADKINS RD | WADSWORTH DR | TURN LANES | TO BE DETERMINED |
| * COURTHOUSE RD | HULL STREET ROAD | INTERSECTION | TURN LANE | TO BE DETERMINED |
| DALE | | | | |
| SALEM CHURCH RD | KINGSLAND RD | BEULAH RD | IMPROVE 2 LANE | UNDER CONST |
| HOPKINS RD | WEST OF OLD LANE | | IMPROVE SIGHT DISTANCE | SPRING 2005 |
| NEWBYS BRIDGE RD | QUALLA RD | 0.35 MI. E. QUALLA RD | WIDEN 2 LANE | SUMMER 2005 |
| COURTHOUSE RD | N. OF YATESDALE DR | - | IMPROVE CURVE | SPRING 2006 |
| NASH RD | APPLEWHITE LANE | FIRST BRANCH BLVD | IMPROVE 2 LANE | SUMMER 2008 |
| * BEACH ROAD | RTE 10 | NASH RD | WIDEN 4 LANE | BEYOND PLAN |
| * NEWBYS BRIDGE RD | FALLING CREEK BRIDGE | HAGOOD LA | IMPROVE 2 LANE | BEYOND PLAN |
| * BEULAH RD | CURVE AT MASON WOODS | | SHOULDERS | TO BE DETERMINED |
| MATOACA | | | | |
| ** GENITO RD | WOOLRIDGE RD | INTERSECTION | TURN LANES | COMPLETE |
| HICKORY RD | SOUTHLAWN AVE | OLDTOWN CREEK | REALIGNMENT | FALL 2004 |
| MATOACA RD | WOODPECKER RD | INTERSECTION | TURN LANES | SPRING 2005 |
| * HALLOWAY AVE | MATOACA MIDDLE SCHOOL | MATOACA PARK | CURB/SIDEWALKS | SPRING 2005 |
| LAKEVIEW RD | WOODPECKER RD | INTERSECTION | TURN LANES | SPRING 2005 |
| BAILEY BRIDGE RD | DEER RUN DR | SPRING RUN RD | SHOULDERS | SPRING 2005 |
| BAILEY BRIDGE RD | W. OF HOLLY VIEW PKY | | IMPROVE CURVE | SPRING 2006 |
| BAILEY BRIDGE RD | BATTLECREEK DR | TURNERVILLE RD | IMPROVE CURVE | SPRING 2006 |
| QUALLA RD | BELCHERWOOD RD | INTERSECTION | IMPROVE CURVE | SPRING 2006 |
| SPRING RUN RD | MCENNALLY RD | BAILEY BRIDGE RD | REALIGN CURVES | FALL 2007 |
| BAILEY BRIDGE RD | CLAYPOINT RD | MANCHESTER H.S. | IMPROVE 2 LANE | SPRING 2008 |
| RHODES LA | 0.5 MI. S. WOODPECKER RD | 0.7 MI. W. SANDY FORD RD | PAVE GRAVEL RD | BEYOND PLAN |
| * OTTERDALE RD | DUVAL RD | GENITO RD | IMPROVE 2 LANE | BEYOND PLAN |
| * QUALLA RD | BEACH RD | SPRING RUN RD | IMPROVE 2 LANE | BEYOND PLAN |
| * WOOLRIDGE RD | CURVE S. OF CROWN POINT | | IMPROVE CURVE | TO BE DETERMINED |
| * HICKORY RD/RIVER RD | WOODPECKER RD | JAMES STREET | VSU SIDEWALK | TO BE DETERMINED |
| MIDLOTHIAN | | | | |
| OLD BON AIR ROAD | IRON MILL RD | GROUNDHOG DR | IMPROVE 2 LANE | UNDER CONST |
| OLD BUCKINGHAM RD | MILL FOREST DR | OLDE COALMINE RD | IMPROVE 2 LANE | SUMMER 2004 |
| OLD BUCKINGHAM RD | UNISON DRIVE | INTERSECTION | TURN LANES | SUMMER 2004 |
| FOREST HILL AVE | BUFORD RD | INTERSECTION | STREET LIGHTS | SPRING 2005 |
| FOREST HILL AVE | BUFORD RD | INTERSECTION | SIDEWALK | SPRING 2005 |

* NEW PROJECT ADDED TO PLAN

** PROJECT LOCATED IN MULTIPLE DISTRICTS

V:\NEWCOMES\6 YR 05-10 ALLOCATION\MAGISTERIAL DISTRICT

4/23/2004

Attachment A

000246

**PROPOSED CHESTERFIELD ROAD FUND
PROJECT DEVELOPMENT SCHEDULE
FY 05 THROUGH FY 10**

| | | PREVIOUS ALLOCATION | | PROJECTED ALLOCATIONS | | | | | | |
|--|--|-------------------------------------|------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| PROJECT / DISTRICT | DESCRIPTION/ LOCATION | FY 04 | FY03 SUPPL | FY 05 | FY04 SUPPL | FY 06 | FY 07 | FY 08 | FY 09 | FY 10 |
| OLD BUCKINGHAM RD MIDLOTHIAN | WIDEN 2 LANES FR: MILL FOREST DRIVE TO: S. OF OLDE COALMINE RD | \$399,830 \$199,915 \$199,915 | | | | | | | | |
| MATOACA RD / WOODPECKER RD MATOACA | TURN LANES | \$600,170 \$300,085 \$300,085 | \$195,090 \$100,000 \$95,090 | \$204,740 \$102,370 \$102,370 | | | | | | |
| NEWBYS BRIDGE RD DALE | WIDEN 2 LANE FR: QUALLA RD TO: 0.35 MI. E. OF QUALLA | | | \$776,819 \$397,630 \$379,189 | \$220,042 \$110,021 \$110,021 | \$3,139 \$1,570 \$1,570 | | | | |
| BRANDERS BRIDGE RD BERMUDA | WIDEN 2 LANES FR: BRADLEY BRIDGE RD TO: SOUTH HAPPY HILL RD | | | | | \$996,861 \$498,431 \$498,431 | \$3,139 \$1,570 \$1,570 | | | |
| NEWBYS BRIDGE RD CLOVER HILL | WIDEN 2 LANES FR: WALMSLEY BLVD TO: FALLING CREEK BRIDGE | | | | | | \$996,861 \$498,431 \$498,431 | \$3,139 \$1,570 \$1,570 | | |
| PROJECT TO BE DETERMINED AT A LATER DATE MIDLOTHIAN | | | | | | | | \$996,861 \$498,431 \$498,431 | \$3,139 \$1,570 \$1,570 | |
| PROJECT TO BE DETERMINED AT A LATER DATE MATOACA | | | | | | | | | \$996,861 \$498,431 \$498,431 | \$3,139 \$1,570 \$1,570 |
| PROJECT TO BE DETERMINED AT A LATER DATE DALE | | | | | | | | | | \$996,861 \$498,431 \$498,431 |
| TOTAL FUNDS | | \$1,000,000 | \$195,090 | \$981,559 | \$220,042 | \$1,000,000 | \$1,000,000 | \$1,000,000 | \$1,000,000 | \$1,000,000 |
| COUNTY MATCH | | \$500,000 | \$100,000 | \$500,000 | \$110,021 | \$500,000 | \$500,000 | \$500,000 | \$500,000 | \$500,000 |
| VDOT MATCH | | \$500,000 | \$95,090 | \$481,559 | \$110,021 | \$500,000 | \$500,000 | \$500,000 | \$500,000 | \$500,000 |

Attachment B

000247

RSTP
REGIONAL SURFACE TRANSPORTATION PROGRAM FUND
PROJECT DEVELOPMENT SCHEDULE
FY 05 THROUGH FY 10
(IN THOUSANDS)

| PROJECT / DISTRICT | DESCRIPTION/ LOCATION | PREVIOUS ALLOCATION FY 04 | PROJECTED ALLOCATIONS | | | | | |
|-------------------------|---|---------------------------------|-----------------------|---------|---------|---------|---------|---------|
| | | | FY 05 | FY 06 | FY 07 | FY 08 | FY 09 | FY 10 |
| NASH RD DALE | WIDEN 2 LANE FR: APPLEWHITE LN TO FIRST BRANCH BLVD | \$308 | \$678 | \$1,561 | \$1,475 | | | |
| REAMS RD CLOVER HILL | CONSTRUCT TURN LANES AT: WADSWORTH, ROSEGILL, ARCH HILL, ADKINS | | | | | \$1,500 | \$1,500 | \$1,500 |
| | | \$308 | \$678 | \$1,561 | \$1,475 | \$1,500 | \$1,500 | \$1,500 |

CMAQ
CONGESTION MITIGATION AIR QUALITY FUND
PROJECT DEVELOPMENT SCHEDULE
FY 05 THROUGH FY 10
(IN THOUSANDS)

| PROJECT / DISTRICT | DESCRIPTION/ LOCATION | PREVIOUS ALLOCATION FY 04 | PROJECTED ALLOCATIONS | | | | | |
|--|---|---------------------------------|-----------------------|-------|-------|-------|-------|-------|
| | | | FY 05 | FY 06 | FY 07 | FY 08 | FY 09 | FY 10 |
| COURTHOUSE RD CLOVER HILL | SB RIGHT TURN RELIEF AT: ROUTE 360 | \$182 | \$14 | \$254 | \$693 | \$500 | \$500 | \$500 |
| CHESTER RD BERMUDA | TURN LANES AND SIGNAL AT: KINGS DALE RD | | | \$278 | | | | |
| ROUTE 10 DALE | RIGHT TURN LANE AT: LEWIS RD | | | \$50 | | | | |
| * MATOACA RD / WOODPECKER RD MATOACA | TURN LANES, REALIGN CURVE | | \$160 | | | | | |
| * HALLOWAY AVE MATOACA | SIDEWALK FR: HICKORY RD TO: MATOACA MIDDLE SCHOOL | \$333 | | | | | | |
| * HICKORY RD / RIVER RD MATOACA | SIDEWALKS FR: WOODPECKER RD TO: JAMES ST | | \$140 | | | | | |
| | | \$515 | \$314 | \$582 | \$693 | \$500 | \$500 | \$500 |

Competitive funds from the Richmond Regional and Tri-Cities MPOs. Tri-Cities funds noted with an asterisk (*).

NEWCOMER\905-10CHARGE\STP05-10

PROPOSED FY 05 SECONDARY ROAD IMPROVEMENT BUDGET

| PROJECT | FROM | TO | DESCRIPTION | ALLOCATION |
|------------------------------|--------------------------------------|--------------------------|----------------|-------------|
| COUNTYWIDE UNFORESEEN ITEMS | VARIOUS LOCATIONS | - | MISC | \$165,000 |
| COUNTYWIDE PREL ENGR | VARIOUS LOCATIONS | - | MISC | \$112,000 |
| COUNTYWIDE RIGHT OF WAY ENGR | VARIOUS LOCATIONS | - | MISC | \$58,000 |
| COUNTY WIDE ENTRANCE PIPES | VARIOUS LOCATIONS | - | MISC | \$0 |
| GENITO RD | WOOLRIDGE RD | INTERSECTION | TURN LANES | \$332,684 |
| OLD BUCKINGHAM RD | MILL FOREST DR | OLDE COALMINE RD | IMPROVE 2 LANE | \$358,400 |
| HICKORY RD | SOUTHLAWN AVE | OLDTOWN CREEK | REALIGNMENT | \$782,700 |
| FOREST HILL AVE | BUFORD RD | INTERSECTION | STREET LIGHTS | \$219,229 |
| FOREST HILL AVE | BUFORD RD | INTERSECTION | SIDEWALK | \$2,084,569 |
| HALLOWAY AVE | MATOACA MIDDLE SCHOOL | MATOACA PARK | SIDEWALK | \$83,250 |
| LAKEVIEW RD | WOODPECKER RD | INTERSECTION | TURN LANES | \$472,540 |
| * RAMBLEWOOD DR | 0.39 MI. E OF GOLF COURSE RD | | R/R CROSSING | \$4,000 |
| * RAMBLEWOOD DR | 0.39 MI. E OF OLD BERMUDA HUNDRED RD | | R/R CROSSING | \$3,400 |
| NEWBYS BRIDGE RD | QUALLA RD | 0.5 MI. E. QUALLA RD | IMPROVE 2 LANE | \$221,900 |
| SPRING RUN RD | MCENNALLY RD | BAILEY BRIDGE RD | REALIGN CURVES | \$1,000,000 |
| BAILEY BRIDGE RD | CLAYPOINT RD | MANCHESTER H.S. | IMPROVE 2 LANE | \$604,291 |
| NASH RD | APPLEWHITE LANE | FIRST BRANCH BLVD | IMPROVE 2 LANE | \$274,000 |
| RHODES LANE | 0.5 MI. S. WOODPECKER RD | 0.7 MI. W. SANDY FORD RD | PAVE GRAVEL RD | \$55,793 |
| * COURTHOUSE RD | HULL STREET ROAD | INTERSECTION | TURN LANE | \$608,018 |
| TOTAL | | | | \$7,439,774 |

* NEW PROJECT ADDED TO PLAN

QUALIFYING RURAL ADDITION ROAD REQUESTS

| DISTRICT | ROADWAY | NUMBER OF HOMES | EXISTING RIGHT OF WAY | LENGTH IN FEET | VDOT COST | COUNTY COST |
|-------------|------------------------------------|--------------------|--------------------------|-------------------|--------------|----------------|
| MATOACA | WILD TURKEY ROAD | 7 | 50' R/W | 1,000 | \$150,000 | \$35,000 |
| MATOACA | TURNERVILLE ROAD | 5 | 50' R/W | 1,000 | \$150,000 | \$35,000 |
| BERMUDA | OMAHA STREET | 6 | 40' R/W | 850 | \$200,000 | \$35,000 |
| CLOVER HILL | UNNAMED ROAD, 600 COURTHOUSE RD | 8 | 50' R/W | 1,800 | \$400,000 | \$35,000 |
| MIDLOTHIAN | TOWER LIGHT ROAD | 7 | 30' & 50' R/W | 1,400 | \$300,000 | \$35,000 |
| MIDLOTHIAN | FRAMEWAY ROAD | 5 | 30' R/W | 1,200 | \$300,000 | \$35,000 |
| MATOACA | PRIVATE ROAD, 17101 MIDLOTHIAN TPK | 4 | PRIVATE | 800 | \$300,000 | \$35,000 |
| MATOACA | BELCHERS LANE | 6 | PRIVATE | 700 | \$130,000 | \$35,000 |
| MATOACA | PRIVATE ROAD, 19600 CHURCH ROAD | 6 | PRIVATE | 2,500 | \$300,000 | \$35,000 |
| MATOACA | PRIVATE ROAD, 19003 CHURCH RD | 4 | PRIVATE | 1,000 | \$150,000 | \$35,000 |
| BERMUDA | CURTIS CIRCLE | 3 | 40' R/W | 500 | \$50,000 | \$35,000 |

Attachment E

000250



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: June 23, 2004

Item Number: 16.D.

Subject:

Public Hearing to Consider the Appropriation of \$775,000 in Excess Cell Phone Revenue for Per Diem Payments at the Riverside Regional Jail

County Administrator's Comments: *Recommend Approval after public hearing*

County Administrator: *LR*

Board Action Requested:

Hold a public hearing to consider the appropriation of \$775,000 in excess cell phone revenue to offset the anticipated shortfall in the Riverside Regional Jail budget for per diem payments.

Summary of Information:

This item requests that the Board of Supervisors hold a public hearing to consider the appropriation of \$775,000 in excess cell phone revenue to cover per diem payments at the Regional Jail.

The average daily population for Chesterfield County at the Regional Jail has climbed steadily over the past three years. In FY2000, the average daily population was 232.4. In FY2001, it was 281.4. For FY2002 and FY2003, average daily populations of 444.6 and 504.7, respectively, were recorded. Continued high arrests and subsequent convictions are two factors contributing to the high populations at both the local and regional jails.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

Attachments:

☐

Yes

☒

No

000251

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

Meeting Date: June 23, 2004

Summary of Information (Cont.):

Earlier in FY2004, the county received a refund of \$1,203,776.11 from the Riverside Regional Jail Authority. The refund was applied to the county's regional jail per diem budget, bringing the total current appropriation to \$6,704,076. At current levels, the average daily population for FY2004 is now projected to be approximately 546, at a cost of more than \$7,400,000. The \$775,000 in revenue appropriation will be used to offset the anticipated additional costs.

000252



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: June 23, 2004

Item Number: 16.E.

Subject:

Public Hearing to Consider Amendments to FY2005 County and School Budgets

County Administrator's Comments: *Recommend Approval after public hearing*

County Administrator: _____ *[Signature]*

Board Action Requested:

As a result of the adopted state budget which includes increased aid to localities, staff requests that the Board hold a public hearing for June 23, 2004 to consider amendments totaling \$6,075,900 to the FY2005 county budget and totaling \$9,921,500 to the FY2005 school budget and appropriate the funds.

Summary of Information:

On April 14th, the Board of Supervisors adopted the County's biennial financial plan for FY2005 and FY2006. This action was without the benefit of an adopted State budget.

On May 7th, the General Assembly adopted a new state budget for the biennium, which included increased state aid to localities. As a result, both the county and the schools will realize additional revenue beyond what was anticipated in the budget adopted by the Board of Supervisors on April 14th.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

Attachments:



Yes



No

#

000253

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

Meeting Date: June 23, 2004

The School Superintendent and County Administrator have developed recommendations for how to allocate the additional state funds (attached). Staff reviewed the recommended spending plans at the Board meeting on May 26.

Since the changes exceed \$500,000, under state law, the Board must hold a public hearing.

000254

2005 Additional Revenue and Commitments-Schools and County County

Revenue

| | |
|---|-------------|
| Reduce Transfer to Schools | \$4,500,000 |
| <i>(equal to approx. 1/2 of sales tax increase)</i> | |

Recommended Expenditures

| | |
|--|------------------|
| Increase merit from 2.5% to 4% for FY05 | \$1,500,000 |
| Debt Service for potential transportation package | <u>3,000,000</u> |
| <i>(Direct staff to develop transportation package totaling \$30 to \$35 million to be considered as part of the referendum. Public hearing scheduled for July 28. Funds to be used for debt service).</i> | \$4,500,000 |

Other General Fund Revenues

| | |
|-----------------------|------------------|
| Local Recordation Tax | \$850,000 |
| HB 599 Funds | 600,000 |
| ABC Profits | <u>(100,000)</u> |
| | \$1,350,000 |

Recommended Expenditures

| | |
|--|---------------|
| Voting Machines | \$500,000 |
| Police Grant Expenses (rather than year end surpluses) | 410,000 |
| Health Care Costs for FY06 (reserve for increases) | 400,000 |
| Adult Protective Services Worker (create a position) | <u>40,000</u> |
| | \$1,350,000 |

Note: Total advertised amendments to the county budget are \$6,150,900. Staff is recommending adoption of \$6,075,900 which is comprised of the following: \$4,500,000 and \$1,350,000 as noted above as well as an additional \$225,900 in state sales tax being transferred to Schools.

FY2005 Additional Revenue and Commitments-Schools and County

| Schools | <u>FY2005 Approved</u> | <u>FY2005 Revised</u> | <u>Difference</u> |
|---|-----------------------------------|----------------------------------|--------------------------|
| Revenue: | | | |
| Sales Tax | \$37,467,400 | \$42,193,300 | \$4,725,900 |
| County Transfer | 202,902,700 | 198,402,700 | (4,500,000) |
| State | 169,077,400 | 178,199,400 | 9,122,000 |
| Local | 3,563,500 | 3,563,500 | 0 |
| Federal/Other | <u>2,831,500</u> | <u>3,405,100</u> | <u>573,600</u> |
| Total Revenue | \$415,842,500 | \$425,764,000 | \$9,921,500 |
| | | | |
| Expenditures | \$415,842,500 | \$415,842,500 | \$0 |
| Adjustments required by state budget: | | | |
| Reduction in VRS rates | 0 | (3,816,600) | (3,816,600) |
| Detention Home | 0 | 38,000 | 38,000 |
| Drop out prevention (elimination of student achievement grant) | <u>0</u> | <u>294,600</u> | <u>294,600</u> |
| Subtotal | 0 | (3,484,000) | (3,484,000) |
| Unbudgeted expenses due to FY2004 shortfall | 0 | 4,907,000 | 4,907,000 |
| Expenditure changes since adoption | 0 | 527,000 | 527,000 |
| Other Initiatives to be funded | <u>0</u> | <u>7,971,500</u> | <u>7,971,500</u> |
| (adjust salary increase to 4%, reduce PTR by .5, staffing reserve for unanticipated growth) | | | |
| Total Schools | \$415,842,500 | \$425,764,000 | \$9,921,500 |



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: June 23, 2004

Item Number: 18.

Subject:

Adjournment and Notice of Next Scheduled Meeting of the Board
of Supervisors

County Administrator's Comments:

County Administrator: _____ 

Board Action Requested:

Summary of Information:

Motion of adjournment and notice of a regularly scheduled meeting to be
held on June 25, 2004 at 2:00 p.m.

Preparer: Lisa H. Elko

Title: Clerk to the Board

Attachments:

☐

Yes

☒

No

#

000257